

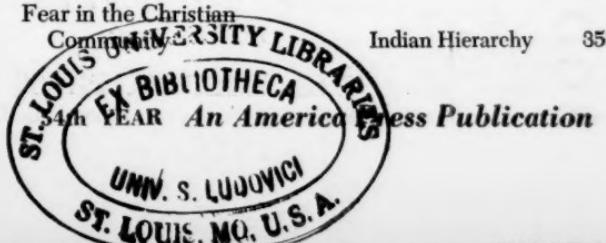
THE Catholic Mind

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THE Catholic Mind

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NO. 1122

American Principles and Religious Schools*

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THE MOST pertinent and distinctive feature of American society is that it has been, from its first integration into national unity, and is now, a pluralistic society. Its pluralism has many aspects. We differ in political and economic views, in cultural interests, and, above all, in religious, theological and philosophical views and convictions.

Now as a legal and political instrument of our society we have set up a form of government which, partially through force of circumstances and partially through pressure of principles, we have adapted to function in harmony with the pluralism of our society. This achievement I

conceive to be the signal contribution of the political genius of the American people.

The form of our government follows the threefold division of legislative, executive and judicial functions. In all of these functions, to varying degrees, we have accepted the principle of majority rule. This acceptance, however, was not and is not unqualified. It has always been recognized that unfettered majority rule might fail to respect the position of a minority or even the position of a single individual. The counter-balancing principle at work here is that of the dignity of man and the integrity of the human person.

*Reprinted from the *St. Louis University Law Journal*, St. Louis University, 221 North Grand Blvd., St. Louis 3, Mo., Spring, 1955.

We have developed this fundamental principle into the characteristically American ideal respecting the rights of minorities and, above all, the privileged position of each man's conscience.

This principle and this ideal have in turn received expression in a series of legal correlates particularly in the Bill of Rights, especially in the First Amendment and in the judicial decisions which have applied and developed it. The result is a political state which is wholly a state with no attributes of a church, remaining wholly neutral in matters of religion, deprived by fundamental law of all theological and philosophical competence. It makes no judgment of any kind as between religions or between religion and non-religion and can require in connection with its activities neither a negative nor a positive religious qualification. In effect, we have thus created a new ideal of citizenship, that a man is to be a full citizen regardless of his religion, that he is to enjoy all the rights, privileges, and benefits of citizenship no matter what his religion or lack of religion.

Two Principles

The fundamental position which I have described is generally summed up under two heads:—the principle of the separation of Church and State and the principle of religious liberty. I have combined them because, in our law and tradition, they are functionally related. More-

over, precise danger at the present stage of our development lies in the one-sided stress on the single aspect of separation of Church and State. Experience shows that an unbalanced and extreme application of this principle can rise to religious discrimination and so destroy the full meaning of religious liberty.

A case in point. A statue to Mother Cabrini, who is recognized as a saint by the Roman Catholic Church, was erected in a public park in the city of New Orleans "in honor and recognition of the outstanding services rendered to the community in the field of child care and for her effort and sacrifices during the Yellow Fever epidemics of 1897 and 1905, when she assisted the authorities and made personal visits to the homes of the sick and afflicted, and because she established and helped maintain an orphanage in the City of New Orleans." A suit was brought to have the statue removed on the grounds that its presence in a public park constituted a violation of the First Amendment which provides for separation of Church and State. The Judge put his finger on the precise danger to which I have alluded when, in his decision, he said: "to deny the right of the city to erect a statue to a public figure solely because of the honoree's religion, whatever rank he or she may have in his or her particular Church, would be to violate the constitutional mandate that there shall be no discrimination against anyone because of his race or religion."

Thus we have a line of reasoning which, starting from the principle of Church and State, leads to a conclusion in which a person who was, as the Judge further pointed out, as a matter of fact a public hero and deserving of public recognition would be denied such recognition solely because of her religion. This is religious discrimination. It is destructive of the religious liberty contained in the intent of the First Amendment and the tradition which surrounds it.

This danger was pointed out by the United States Supreme Court in *Everson v. Board of Education*: "We must be careful, in protecting the citizens of New Jersey against state-established churches, to be sure that we do not inadvertently prohibit New Jersey from extending in general State law benefits to all citizens without regard to their religious belief."

This respect for the individual conscience is, I submit, an American ideal firmly rooted in philosophical principles and, to a large extent, worked out in legal and political practice. We are still engaged in the task of making the practical application of this ideal more complete, for the practical situations in which the ideal is to be realized are extremely complex and require the simultaneous and balanced application of many principles.

Civic-Religious Conflicts

I would like to present one example in which we have ingeniously managed the requisite balance. This is the marriage ceremony. In governments which have an established religion, the tendency is often to make a definite religious act the only legal ceremony. On the other hand, in a positively secular or anti-religious state the tendency is to recognize a civil ceremony as the only legal one. In the first case, non-conformists, in the second case, religious people generally are forced into a conflict between their conscience and their citizenship.

But we in America have solved this problem. The jurisdiction of the State is protected by requiring a license prior to the marriage ceremony. Once the license is issued, the State maintains a perfectly neutral attitude. The parties to be married are free to choose that type of ceremony which fits their own conscience and desires. The State then accepts the official so chosen as the legal official for the marriage. Thus the citizens select the rabbi, the minister or the priest because he is a rabbi, a minister or a priest, but the State is indifferent to him, *qua* rabbi, *qua* minister or *qua* priest. It accepts rabbi, minister or priest as the choice of its citizens.

Thus we have solved a problem

which has bedeviled the relations of Church and State in most European countries. The eminent reasonableness and fairness, the fine balance of principles typified in this instance are the characteristic marks of the American way of facing these problems.

The Matter of Education

Now in the matter of education we have likewise a practical problem involving a great complexity of facts and requiring the application of a great complexity of principles. The principles and ideals which I have described are all applicable but in education another principle must be recognized; namely, that the family is the basic unit of society and has a primary right with regard to the education of its children.

The classic statement of this principle in our legal literature was issued by the Supreme Court in *Pierce v. Society of Sisters*:

As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the State. The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.

It is noteworthy that this principle is also contained in the *Universal Declaration of Human Rights* proclaimed by the General Assembly of the United Nations on December 10, 1948:

Article 16 [3] The family is the natural and fundamental group unit of society and is entitled to protection by Society and the State.

Article 26 [3] Parents have a prior right to choose the kind of education that shall be given to their children.

Apparently these principles are not only basic to Americanism but to civilization in general.

Right of Parents

It is an immediate consequence of this principle and of the principle of religious liberty that parents have a full right to raise their children in their own religion and to educate them in accordance with their own conscience. It is an obvious corollary of this that individuals or groups have the right to set up schools and institutions in full accord with their own consciences and with the conscience of those who come to them or entrust their children to them.

Now the State also, as a political instrument of society, has a definite stake in education. But the State enters the educational picture not only in such a way as not to violate religious liberty but also in such a way as to protect its exercise. Thus, on the one hand the State cares for

the common welfare by setting a minimum school-leaving age, by requiring courses in history or civics, by setting minimum standards for teacher certification, and so forth. But likewise the State gives legal status to the religious school, not because it is religious, not because it is Catholic or Protestant, but because it is the result of a free religious or educational choice of the citizens who set it up and who patronize it. The religious school thus receives the full benefit of the law as a benevolent and welfare institution and as an educational institution.

It follows from all of this, first, that the religious school is wholly in accord with fundamental philosophical principles accepted by the main philosophical traditions of the West, by the Christian and Jewish tradition, and by Liberalism itself; secondly, that the religious school is actually a corollary of distinctly American ideals of freedom in education and in religion, and of the legal correlates of these ideals; thirdly, that, therefore, the religious school is in principle, in ideal, and in legality as well as by tradition, history, and service a thoroughly American institution and that its existence in America will be coterminous with the practical acceptance of the most fundamental American ideals of freedom and fairness.

All of this has been well worked out in laws and judicial decisions, a working out in the concrete by legal correlates of our new conception of the complete compatibility of full

citizenship and full religious and intellectual freedom. This notion of citizenship which I conceived to be the American contribution to the development of the Western idea of "civitas," can be stated in concrete summary thus: *No citizen because of his religion or lack of religion shall be deprived directly or indirectly in theory or in fact of the enjoyment of his rights, privileges or benefits of citizenship nor shall the exercise of the duties of citizenship impair his full religious liberty.*

The application of the compulsory attendance law is another instance. The State can and does require a minimum formal education, but it cannot specify the school or the religious content of the education. As in the case of the marriage ceremony, the State ratifies the choice of the citizen and attendance at a religious or at a non-religious school is taken to fall under the law not because the school is *religious* or *non-religious* but because it provides education and is the choice of the parents. Thus again we have a reasonable and balanced arrangement.

Our One Failure

Now, although there are so many areas in which we have learned to make the distinctions necessary for a reasonable and balanced adjustment, there is one area in which we have failed so far to do so.

One of the main intentions in the Public School System of America is to make free education available to all citizens. Any citizen may avail

himself of public help in educating his children by sending them to a public school. Unfortunately, however, this excellent intention and purpose is implemented in an unrealistic manner. The very form which the aid takes in the concrete sets up a religious qualification or rather disqualification. For the simple fact of the matter is that many religious persons cannot send their children to the public school without violating their conscience. The reason the great majority of children now in religious schools are not in public schools is not because they do not need financial aid or because they do not want financial aid from the common funds but simply and solely because they cannot, without violating their conscience, accept that aid in the form in which it is now available.

We cannot, as Americans, simply say that this religious scruple is their own affair; that they may come to the public schools if they want aid, but, if they choose not to do so, that's their own affair. This religious conscience is one of the factors in the case and must be taken into account by the government. Religious liberty and the prohibition of religious qualifications are meaningless unless they relate to the precise peculiarities of each type of conscience. We may think that a conscience which is violated by attendance at a public school is a foolish conscience or a fanatical one, but, as Americans, at the legal and political level we simply accept it as the

"other fellow's" conscience and provide for it.

Conscience and Public Welfare Benefits

Let me illustrate by a fictional example. The duty of the State to provide help in times of famine and depression is obvious. Now if, in such a situation, the government headlines were set up to distribute only pork, the intention might be to provide aid to all citizens who need it, but actually a religious qualification would attach to that aid. We might say that anyone could come if he wished; if he did not, that was his own affair. But I do not think Americans would be satisfied that we were doing justice to the conscience of the Orthodox Jew. I think we would spontaneously demand that provision be made for the Jewish conscience. For the same reason, I believe that, as Americans, we should spontaneously demand that an educational aid arrangement be made that takes into account the other fellow's conscience as well as our own. Fundamental American principles would make us take this stand! Public welfare benefits, whether educational or non-educational, should be realistically available to all American children without regard to their religion or lack of religion.

At this point it may be well to distinguish two types of general welfare benefits usually recognized in

this connection, those like bus transportation, textbooks, health provisions, school lunches, and so forth which are only indirectly related to education, and those which directly pertain to the education itself. Actually, since educational aid is itself intended for general aid, the same principles should apply to both types.

But, as a matter of fact, we have applied our principles and made the necessary distinctions in many instances of the first type. The federal lunch program, for example, does not discriminate between religious and non-religious school children. In fact, Justice Black, speaking for the Supreme Court in the *Everson* case—the very decision in which the “establishment” clause was given so wide a prohibitive interpretation—enunciated the principle and applied it to uphold the New Jersey school bus law. The Court said:

Consequently, it [the State] cannot exclude individual Catholics, Lutherans, Mohammedans, Baptists, Jews, Methodists, Non-believers, Presbyterians, or members of any other faith, *because of their faith, or lack of it*, from receiving the benefits of public welfare legislation.

The only discrimination involved in the *Everson* case arose from the wish of the plaintiff to make attendance at a public school a condition for the use of school buses. The only religious qualification attaching to attendance at the public school was the factual conscience scruple which

I have described above. The Court actually recognized that such a religious qualification exists. It seems, therefore, that we are slowly recognizing the application of the principles I have outlined to the whole area of “indirect aid” and are reaching typically American solutions. As yet, however, we have not discovered a truly American approach to the question of direct educational aid.

There is yet another way to outline the problem. Consider the case of an impoverished Seventh Day Adventist. There is the compulsory attendance law; he must send his children to school. The public school provides an education in violation of his conscience. On the other hand is the economic pressure of his poverty; he cannot afford to provide a religious school for his children, or to pay the modest fees at his local religious school or to send his children to a boarding school (as the case may be). In this situation, the law and the economic pressure force him to send his children to a school which violates his conscience. There is no real choice, and the law here becomes a compulsion against religion.

It might be said that the economic pressure is no concern of the State. Yet, it is our concern as Americans not to render lip service to an abstract religious liberty, but to work it out and safeguard it in the concrete. If, in the factual situation, there is no real choice, under the

law, except to violate one's conscience, then the law is not safeguarding religious liberty. And this is the worst form of religious discrimination, because it allows true religious liberty only to those who can afford it.

The Practical Situation

We are thus faced with this practical situation: American ideals and principles demand that the educational aid, intended to be made available to all through the public school, should *actually* be made available to all American children whether they attend a public school or, for reasons of conscience, a religious school. The Lutheran parent or child, the Catholic parent or child, the Seventh Day Adventist parent or child, and so forth, who need and want this aid, are entitled to an equivalent share of public aid from the funds to which they also contribute under the law.

On the other hand stands the principle of Separation of Church and State and the interpretation of the "establishment of religion clause" as prohibiting laws "which aid one religion, aid all religions or prefer one religion over another." In addition, similar provisions have been expressly written into most state constitutions.

Our problem as Americans, then, is not to push one of these principles to the exclusion of the other, but to find a balanced arrangement based on the distinctions which we have learned to make in so many parallel cases.

A sweeping application of the aid-to-religion interpretation (and unfortunately many popular presentations have so understood it) would lead to a complete disruption of the many harmonious arrangements which are traditional in our country and to a violation of all the other principles of Americanism.

Hence, a solution need not be rejected simply because in the concrete educational aid will help the religious institution to exist and develop. Distinctions must be made and accepted. Otherwise, it could be argued that, since the priest and the man is identified in the concrete, police protection given the Catholic priest is in aid of his priesthood and so of religion. An unbalanced interpretation could make religion an "outlaw" in our society.

We have a precedent for a concrete solution in the veteran's educational benefits. The law looks to the welfare of the veteran; his freedom of choice is completely protected; he may choose a state institution or a religious institution or even a Divinity School. The State accepts his choice and pays the set fees. Here again the fees may go to a religious school, and will "aid" it, but the government is not paying the fees to the school because it is a religious school or in order to aid religion.

In a similar manner we could work out a plan envisioning the child or parent as the beneficiary of all funds collected for educational purposes;

if the parent selected the public school the funds can be made available through the public school; if, for conscience reasons, the parent selected a religious school, the fees (to a fair amount) could be paid in the name of the child or parent and in view of the education, not of the religious functions of the institution.

Some such arrangement is the only one that will fit all our principles and realize all our ideals. The principles, the distinctions, the ideals all exist in our tradition and our practice and have even to a large extent already been refined and declared by courts of record. In this way we would fully work out the American ideal of religious liberty.

It should be noted that I have not argued that any religious group should accept such aid. Official spokesmen for various religious groups have stated that they do not desire direct educational aid. What the parents involved may, as American citizens, wish is yet another question. I have been presenting what I conceive to be the necessary implications of the American ideal. To me it is a question of principle. Whether or not religious parents or their children or their schools ever accept a single penny of public aid, I am convinced as an American that it is essential to the integral protection of our freedoms that this right be recognized, at least in principle.



The Real Soviet "Class War"

Between 1900 and 1905 there were only 15,000 prisoners undergoing penal servitude in Russia. In 1913 there were 32,757 of whom only 5,000 were political prisoners. Today there is not a single authority on the subject who believes that there are less than 5,000,000 in the Soviet labor camps, and most authorities would consider this a ridiculously inadequate estimate. There are literally thousands of witnesses to the reality of this slave empire. This matter has been raised repeatedly by the American Federation of Labor and other powerful trade union bodies in the free world. This is the real "class war," the struggle of millions of slaves against the powerful and wealthy ruling class of Russia. But never a word do Communist "militants" (free to speak their minds in democratic countries) utter on this appalling tragedy.—*H. W. Henderson in the CHRISTIAN DEMOCRAT, March, 1956.*

The Church Silent*

J. I. BERGIN, S.J.

THE Church Silent" is a term that has been used to designate the Church in those countries that are suffering in slavery under the ruthless tyranny of atheistic Communism—a Church Silent because Godless dictators have used and still are using every means to stifle her voice and to thwart her divine mission.

Where Communism has been able to assert its power . . . it has striven by every possible means, as its champions openly boast, to destroy Christian civilization and the Christian religion by banishing every remembrance of them from the hearts of men, especially of the young. Bishops and priests were exiled, condemned to forced labor, shot and done to death in inhuman fashion; laymen suspected of defending their religion were vexed, persecuted, dragged off to trial, and thrown into prison (Pope Pius XI, *Divini Redemptoris*, 1937).

This oppression of the Church of God, the most satanic and the most widespread in all her long history, continues unabated today. It is based on the Communist dogma that religion is the opium of the people and the greatest enemy of the Communist Party; that the very notion of

God is a fatal infection against which the "new man" of communism must be made immune; that all belief in God must be eradicated from society, in order that blind evolutionary forces may bring about a new era and a new civilization—a "humanity without God."

Wherever the Communists have seized power, this doctrine of theirs never has remained a dead letter, but has been applied in practice with single-minded purpose and unflagging zeal—by violence and cruelty at times, but often by fraudulent cajolery and cunning deceit when the Red despots sensed that open and noisy attack would make their victims cling more tenaciously to faith in God. But always and everywhere the Communist regime has unleashed its diabolical hatred against that faith in God, and especially against the Catholic Church, its greatest enemy as it is its greatest menace. It would banish God from the world that He has made.

Red Tactics

In the countries that are now under Communist domination—they comprise about one-third of the earth's land area—there are some

*Reprinted from the *Canadian Messenger of the Sacred Heart*, 2 Dale Ave., Toronto, Ont., October, 1955.

60,000,000 Catholics and some 140,000 Christians of non-Catholic sects, yet the teaching of religion is prohibited and proscribed under the severest penalties. To attempt to teach religion is to become an "enemy of the State," but the attack upon religion by every sort of propaganda and persecution is not only freely allowed by the Red regime; it is encouraged, promoted, decreed. The rights of the Church in the education of youth, her influence on any phase of public life, are severely suppressed. State schools alone are permitted, and in them the instruction given is thoroughly imbued with materialism and atheism. Often it is not allowed to teach catechism to the young even in the churches. All means of mass-communication by which the people are "educated" and misinformed are strictly controlled media of Red propaganda: press, cinema, radio, television, trade-unions, even sports are ordered and manipulated by the State to serve the aims of atheistic Communism.

Thus the Church has been completely thrust out of public life and confined as it were within its temples and sacristies. Deprived of all freedom, it must look out from its virtual imprisonment to observe how the young, its dearest hope, are being steeped in atheism and morally corrupted and alienated from all religious influence and practice. It sees its flock, mostly now older people, slowly dwindling and facing extinction. The most incredible

cruelty of this persecution is pointed up by the atrocious methods, through the abuse of scientific and technical knowledge, which are used to extort false confessions of "crimes against the State" from those whose religious influence with their people is greatly feared by the Red despots. Suffice it to recall here the fate meted out to Joseph Cardinal Mindszenty (Primate of Hungary) and Aloysius Cardinal Stepinac (Primate of Croatia in Yugoslavia.)

Against Bishops

In its war against the Church, wherever the Red regime has seized power in any country, it has acted on the principle which Our Lord recalled to His own on the eve of His Sacred Passion: "All you shall be scandalized in Me this night. For it is written: *I will strike the shepherd, and the sheep of the flock shall be dispersed*" (Matth. xxvi, 31; Zach. xii, 7). Many of the shepherds already have been struck.

Within "the Church Silent" there are about 260 territories of ecclesiastical jurisdiction. A list drawn up early in 1954 shows 185 Prelates who have been either put to death (23), or thrust into prisons and detention-camps (38), or almost wholly restricted in their own sees and prevented from exercising their pastoral functions (22), or deported from their sees and dispersed (74), or living in exile (15); the fate of still others remains unknown. Among these 185 Prelates are 4 Cardinals, 32 Archbishops, 117 Bishops, 32

Apostolic Administrators and Prefects Apostolic. All can help their flocks only by prayer, suffering, and example. In not a few places they have been supplanted in their sees by spurious pastors indoctrinated and appointed by a Red regime.

Those other Bishops who still have contrived to retain some small measure of freedom are closely and assiduously watched and molested by the Communist "authorities," subjected to search and investigation even in their endeavors to perform the normal functions of their office. They are not permitted correspondence with the Holy Father either by letter or by other normal means of communication. In preaching the Gospel (their chief duty), in providing religious and moral instruction for children, young people, and adults, they are constantly impeded, for the haters of God are haters of all wholesome doctrine. It is made extremely difficult for a Bishop to rule his flock, to issue warnings and directions, to control ecclesiastical discipline, to combat the insidious and deadly propaganda with which the faithful are bombarded from every side.

To the Bishops of "the Church Silent" their seminaries pose a problem heavy with concern. The Godless education given to the young has made vocations to the priesthood fewer and fewer; many seminaries have been closed or taken over by the Red regime for other purposes; some have had atheists put at their head; a few only remain in a state

of semifreedom under toleration. In some areas there is no longer any seminary, and, where there are any candidates for the priesthood, these receive their theological training, in so far as is possible, from the parish priests.

Against Priests

Priests no less than Bishops suffer from the satanic hatred that persecutes "the Church Silent." Many thousands of them for "political reasons," as it is claimed by the Red regime, languish in prisons or are condemned to a slow death by starvation, privation, and every sort of hardship in forced-labor camps; many more hundreds have contrived to escape into exile and are laboring to build up nuclei of their fellow countrymen in free parts of the world against the day when it may be possible for them to return to their native lands to rebuild what the Communist wreckers have destroyed. Many of these priest exiles are doing this apostolic work here in Canada, and they deserve our whole-hearted encouragement and support.

The Red persecutors have marked as "enemies of the people" not only priests but all religious of both sexes, who almost everywhere in Communist-held territory have been driven either wholly or in great part into exile and their properties confiscated. The whole clerical body and the whole religious body of "the Church Silent" have been blackened by every sort of lie and calumny, oppressed by every sort of vexation

and harassment. Because the clergy and the religious strive to remain faithful and loyal to the Church, to uphold her teaching and to defend her rights, they are publicly branded by the Reds as traitors to their homeland, malefactors, enemies of the people, tools and spies of Vatican imperialism. Diabolical traps and snares are set for them, to accomplish if possible their undoing; they are sharply needed toward disobedience to their ecclesiastical superiors; they are cajolingly invited to give their names to "patriotic" and "priestly" associations which will afford them many material advantages. In every country under their heel the Red persecutors endeavor to set up a "National Church" which denies all allegiance to the See of Peter. And so the priests of "the Church Silent" are living not only in great material distress, but also in great spiritual hardship and danger.

Day by day fewer and fewer priests are found to care for the souls of the faithful, and even the ministerial activity of these few is greatly restricted by the "authorities." They no longer have free and normal communication with the members of their flocks. They incur arrest if they dare to refute the errors and the falsehoods spread about by the Red propaganda machine. When boys and girls come to them spontaneously for religious instruction, they may perhaps teach them the catechism only in the church, nowhere else. They can have no in-

fluence on the training given to the young in the schools. They are not allowed to organize or to direct any sort of association or social club. They are forced to almost passive assistance at the spectacle of spiritual ruin wrought upon their people in ever-increasing tempo. They cannot stem the flood of atheism and moral corruption that inundates them, for at best they are allowed to administer the sacraments and to expound the Word of God only in their churches. Even in this restricted ministry they are spied upon by the ever-vigilant secret police.

Catholic Responsibility

We Catholics in the free world today are witnesses to the heart-chilling tragedy of "the Church Silent," which is bound in chains and whose voice is stifled by the greatest satanic persecution in all the history of the Church of God. With fuller appreciation and deeper understanding of that wonderful Catholic concept which we have studied in our catechism as the Communion of Saints we all should strive to realize in our own lives that supernatural bond which unites us so closely with our brothers and sisters in their affliction, and which is finer, nobler, stronger, more enduring than any merely human tie. From our conscious realization of that supernatural union where all those who are of Christ meet in the Fatherhood of God and in the Brotherhood of Him who shed His blood for our salvation there will

be borne in upon each of us a sense of true Christian solidarity with the members of Christ's Mystical Body who now make up "the Church Silent," also a sense of the responsibility which is ours to bring them aid and comfort in whatever way we can do so. What, then, in practice and in concrete, can we do and should we do?

It is not possible for us to go and visit in person those brothers and sisters in Christ who in prisons, in forced-labor camps, and everywhere in the "Workers' Red Paradise" are professing their faith in God and clinging to their Catholic heritage amidst every sort of privation and hardship, persecution and cruelty, which only the abundant grace of God can enable them to bear. But there is a way by which we can bring them that spiritual aid and comfort which they need above all else.

By our earnest prayers, by our daily acts of penance and of sacrifice, we may beseech our merciful and loving Father in Heaven that He may deign to send His angels of consolation to strengthen the hearts and to sustain the souls of our suffering brethren; that He may send upon them such an abundance of

divine grace that they may even rejoice with St. Paul:

We are the sons of God. And, if sons, heirs also, and joint heirs with Christ: yet so, if we suffer with Him, that we may be also glorified with Him. For I reckon that the sufferings of this time are not worthy to be compared with the glory to come, that shall be revealed in us (Rom. viii, 16-18).

Especially should we pray (and for this our Morning Offering) that the Bishops and the Priests of the Church Silent may all persevere in heroic profession of their Catholic Faith; that they be willing and even glad to shed their blood, if called upon to make that sacrifice, for the glory of God, the triumph of Christ, and the salvation of their people. We should pray also that God may raise up here in Canada and elsewhere many priestly vocations among our exiles and refugees from Communist-ridden countries, so that, when the Red Terror has run its evil course and has been turned back upon Satan who inspired it, there may be a strong and zealous clergy ready to move in back home and to build anew the Church of God no longer silent.



India's "Socialistic Pattern of Society": An Appraisal*

REVEREND HERMAN D'SOUZA

AFTER a two-day debate on economic policy, India's Lok Sabha (Lower House) recently passed a resolution that India's objective should be "a socialistic pattern of society." In the wake of this resolution has come Prime Minister Nehru's reiterated faith that India is on the road to a "classless and casteless society."

These events have set off a spate of speculations the world over on India's future. India's decision to go "socialistic" silhouetted against Nehru's so-called "flirtation" with the Reds abroad, is considered ominous by nations who know socialism for what it is. The Reds are supposed to look upon this move as the first faltering step of the many to come that will eventually lead India into their camp, in a way all its own. Should there be any substance to such hope, one would wish there were many an Indian slip between the Red cup and lip.

Some there are who take this decision for a political stunt calculated to take the wind off the sails of Communists and Socialists at home. Nehru's sore dissatisfaction with some capitalistic ills under Indian and foreign skies is no secret. Nor

is one unaware of his dynamic blasts against cooing Communists for their way of life, especially after his return from Red China. The sluggish and anaemic progress of India would seem to make Nehru's zeal for the welfare of millions rather impatient.

Whatever the factors that have made for such a step, it would appear at the moment that Nehru's idea of "a socialistic state" is a far cry from the existing types of socialism: to wit, collectivism, anarchism, bolshevism, and Marxian socialism. All these types, in some degree or other, frown on private property and ownership. Nehru's type, however, does not seem to do so, at least, at present. That, perhaps, may be one reason why the correspondent of the *New York Times* at New Delhi dubbed it: "India's own brand of socialism." Whereas, the known types have as their central principle the substitution of private ownership by public ownership, India's own brand seems to have decided on the marriage of the "private sector" and the "public sector."

The vast scope for improvement and the need for all-round progress against the wind of a chilling socio-

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economic legacy, would seem to warrant the division of enterprise and ownership between public and private sectors. Declared Nehru recently: "The public sector and the private sector should function as parts of a co-ordinated plan." The idea seems to be that India's progress cannot take the strides it should if the state does not work and own certain key projects that are away and beyond the capacity of private agencies. In fairness to the Government it must be said that steps have been taken to encourage private agencies to some extent with technical and pecuniary aid.

Source of Authority

One thing, however, seems to puzzle India's well wishers in view of its being a secular state. And that is the question of authority and its source. Nowhere in the constitution is God mentioned or even hinted at. This peculiarity is explained away by saying that India's secular status does not mean it is against, or indifferent to, God or religion. Rather it means that India does not favor any particular religion or sect while respecting all of them. Existing types of socialism, while differing in some respects, agree that the state derives all of its authority to conduct its affairs in the matter of governing not from God but only and solely from the people, through a social contract, which in itself is voidable or modifiable.

Now that India has decided on "a socialistic pattern of society," where

does India's own brand stand as to the true source of authority? Unless an answer crystal clear is given by the powers that be on this crucial question, it is well for them to know here and now, that India is heading for the selfsame conflict between religion and state as to their respective prerogatives, a conflict that has been, and is, the bane of nations. Prime Minister Nehru by by-passing this question will only sow the seeds of disruption and disintegration of India for which he has such grand plans. A right approach to this question is a *sine qua non* if India, known for its great religious emphasis, is to build on its great past a greater future.

Be that as it may, now that "a socialistic pattern of society" is held as the goal, it is not difficult to see how the educational system of India will be affected by it. Hence the dire need for taking a good, long look at the socialistic system of education.

Nehru came very near the truth when he once said that one did not organize an upheaval. Upheavals were the products of history. The history of education shows at various times a flux between the teachings of extreme individualism and of extreme socialism. While individualism emphasized complete freedom for man in the pursuit of his own welfare, Socialism stressed adjustment, a modification of the environment through co-operation and concerted group action. Absolute and extreme Individualism made hay while the

sun of the Reformation was shining. Unbridled Socialism saw its extremes when the French Revolution let loose its furies. The modern revolt against the individualistic ethics of Kant, the individualistic psychology of Leibnitz, and the individualistic theories in education of Rousseau, Locke, and Herbert, have accelerated and accentuated the return to an older concept of the true functions of society.

The Individual and Society

What happened elsewhere to these elements of society has been happening in India in a way all its own. The issue in question in all this flux and reflux is the fair and proper relationship between the individual and the group.

A fair and true relationship between the individual and the group or society consists in their interdependence, and not in their independence. Man lives in society, and society exists for the promotion of the welfare of man. An exaggerated emphasis on the individual is false and pernicious, for it is contrary to man's nature and spells the disruption of society. Likewise, an undue stress on society that has no place for an individual personality, is also false and pernicious; for, it fails to recognize that man's last end is supernatural, and hence, beyond the final end of society. It is of the utmost importance to know that the unit of society is not the individual but the family.

The organic connection between

the individual and society is essential in this relationship. Oneness in language, customs, and interests, by no means constitute a nation. It is consciousness of being bound by the ties of nationhood that makes for a nation. Far more important is consciousness for the social organism than is an organic individual cell for the living body. Whereas, the cell is but a part of the animal organism, consciousness of the individual is not only a part of the social organism but the source of its continual existence. Society is not superior to the individual nor is it the other way around. They rather complement each other. Neither of them is the means for the other.

An excellent example of this relationship is supplied by Christianity which submerges the individual and the community into harmony within the Mystical Body of Christ. Failure to recognize the fair and true relationship between the individual and the group may force education to turn into "state education" with no values but those derived from the State.

Socialism enters the field of education under specious captions such as: "The Activity School," "The New School," "The Free School," "The Progressive School," "The School of the Future," and others of the kind. Full well do such schools realize that the achievement of social idealism is essentially the task of education. Therefore, they seek to harness every educational agency and method to a twofold task: the socializa-

tion of the individual and the amelioration of society.

Basic Tenets of Socialism

Before we consider the effect of socialism on education it may well be in order to summarize the basic tenets of socialism under various hues. These tenets boil down to the following:

- 1) The child is born into society only to fall in with the idea: the greatest good for the greatest number.
- 2) Man becomes truly human merely because society has created for him favorable environmental circumstances, which stimulate and condition man's complete socialization.
- 3) Society alone regulates its existence.
- 4) Man is a bird of passage, here today and gone tomorrow; society is permanent, possessing as it does the capacity for self-perpetuation.
- 5) Group life is essentially responsible for all the progress man has made, be it in morality, literature, art, philosophy, science, language, economics or politics. Hence, the interpretation and evaluation of such progress should be made in terms of approved values.
- 6) Whatever individuality man possesses as a human personality must be subordinated to society, because the individual is indebted to it for his existence.
- 7) Morality, in general, and ethics, in particular, are products of society.
- 8) Society alone determines what

is right and what is wrong. There is no higher sanction for morality than the welfare of society. What is good for society is essentially good. What is harmful to society is essentially evil.

9) Religion is the creation of society for its own particular purpose, which is to strengthen and perpetuate society, by working for the complete socialization of the individual.

10) Sociology is a synthesis of all branches of learning, and, as such, should take precedence over all forms of learning.

In a nutshell, the socialist stand is that "Man is not a social being because he is man; rather he is man because he is a social being." Everything that is essentially human, in some manner or other, results from, and is dependent on group social life.

The impact of socialism on education has been both for better and for worse. Among the benefits of socialism to education is the stress on the need for a close articulation between the school and life. It has thus tried to bridge the gulf between life at home and life in the world on the one hand, and life at school on the other. Further, it has helped considerably the introduction into the school of subject matter and activities calculated to improve man's place in the social order. Thus the school of today is engaged in social studies, vocational work, citizenship courses, physical training, and extracurricular activities. It is to be noted that socialism is not the discoverer

of these aspects of education. Nor is it the first to draw attention to them. The organized way that characterizes the socialist stress on these aspects may be attributed to socialism to some extent.

Detrimental to Education

The detrimental effect of socialism on education, however, overshadows the beneficial. Education stands to lose by the impact of socialism for several reasons.

First of all, socialism makes use of education to misinterpret the true nature of man by subordinating him entirely to society. Education is led to subscribe to the notion that man has no higher end than the state; that man's nature is to be considered solely in terms of the physical and the economic with no regard whatsoever for his relation to God and his final spiritual end.

Furthermore, socialism wants education to exclude the concept of the individual as a free personality, having a will of his own that makes him man. It is well for educationists to be forewarned that an educational system is completely off the rails when it has man, and not God for its center; when it is oblivious of the fact that man's human personality is superior to society, for society is but a means to the end of aiding man to attain his eternal destiny.

Secondly, socialism gives a wrong twist to educational theory inasmuch as it holds that conduct is right when it produces a social good, and wrong when it causes a social evil.

The implication is that an act, apart from its social consequence, is intrinsically neither right nor wrong.

Educationists worth their salt would remind socialists at this point that a cobbler should stick to his last. The social problem is essentially a moral problem, the solution of which must be sought in the field of ethics. Ethics shows that man is a moral being who has both an individual and a social side to his nature. Society would benefit from human conduct if education developed the individual as a free personality for himself, and not for society alone. It is the duty of education to promote man's social character by helping to incorporate each person, first of all, into the family, and then, into the larger communities of the state and of true religion. It is of the utmost importance to education to recognize that religion cannot be reduced to a function of society; that morality cannot be interpreted as being identical with sociality, and, as such, a product of society.

With regard to its method of "Work" or "Activity" the socialistic theory of education is much of a snake in the grass. Under the green grass of "activity leading to further activity," lurks the snake with poison such as: Ideas are neither true nor false but become such only in so far as they guarantee the success or failure of human action through experience. Truth refers only to that experience which is practical and of social value. Experience is the only means of acquiring knowledge.

There is no place for spiritual guidance, because moral and social values are mere products of social experience, and with no absolute sanction. All problems of life and nature are to be solved by a procedure of trial and accidental success.

Eternal Law of God

No matter how green the grass and how crafty the snake, no less a person than Leo XIII pointed to the yardstick:

. . . the eternal law of God is the sole standard and rule of human liberty, not only in each individual man, but also in the community and civil society which men constitute when united. Therefore, the true liberty of human society does not consist in every man doing what he pleases . . . but rather in this, that through the injunctions of the civil law all may more easily conform to the prescriptions of the eternal law . . . The binding force of human laws is in this, that they are to be regarded as applications of the eternal law, and incapable of sanctioning anything which is not contained in the eternal law, as in the principle of all law.

There is another point in the socialistic theory of education that warrants a cautious approach. And that is the notion of "learning by doing," by the child's direct experiences. Apart from the fact that not all things are, or can be, learned by doing through direct experiences, this notion has a sinister implication that truth is relative and not absolute. The socialist theory of education asserts that the child's re-

sponses to "problem situations" through his own experiences and experiments help him to choose his own truth for the necessary adjustments in a constantly changing social order.

While this socialist approach to educational methods has no truck with indoctrination or direct effort to inculcate in the individual fundamental and moral values that go by the name of religion, which is necessary for achieving the ultimate end for which the individual was created, there seems to be no compunction whatever as regards the socialist type of indoctrination. There can never be true education without the development of man's intellect and the strengthening of his will. The socialist approach to "activity" fails to see the need for "*purposeful activity*," behind which is the spiritual intellect and will. Mere "activity" without *purpose*, in and of itself, scarcely makes for either true enlightenment, or acquisition of wisdom, or the development of leadership—all of which are essential for social progress.

In the third place, socialism insists on a lopsided and unacceptable program of education. In opposition to the sound traditional view that the school should prepare the individual for life both temporal and eternal, socialism holds that the school is life itself, a "community of workers." The three subjects: science, industry, and democracy are the be-all and end-all of this life. All studies and school activities covered by this

trinity of subjects are to be viewed from the pragmatic and social standpoint; they should lead the child to realize the demands of social life upon all the members of society.

One is not, and need not be, blind to the commendable features in the socialist approach in this regard. One such is the emphasis on the individual's need for social activity and group co-operation, although the idea does not originate from the socialists. But, what undermines socialistic education is the failure to direct this social activity and group co-operation toward a goal that has value and meaning to man in terms of his material and spiritual welfare. Such a failure is due to the elimination of religion from the socialist program of education.

The confusion in modern society is attributed by the socialists to the undue development of the individual and to the lack of social aspects in the traditional school of education. It is time the advocates of social aspects and "social instincts" realized that true socialization must come from *within*, that it is the outward manifestation of one's inner nature, that is, the operation of his intellect and will.

Educational Discipline

Fourthly, the idea of discipline has severely suffered in education from the impact of socialism. It denies freedom of the will, because it teaches that the "individual will" is determined by society and is but

an extension of the will of society. Social approval or social ostracism is the discipline that lines up the individual will with that of the group. To avoid social conflict the individual has no other way but to fashion his conduct after the pattern set by the community or society in which he is bound to live. The terms "good" and "evil" signify no more and no less than "social" and "anti-social" respectively.

It needs not much of an effort to discern the danger in such an approach to educational discipline. When self-discipline and obedience to constituted and lawful authority are absent, social education degenerates into mere social experience. One cannot emphasize enough the fact that "the soul of all improvement is the improvement of the soul." A true social education is inconceivable if it is not based on the obligation of conformity to the moral law. Only to the extent that the child is made to practise self-mastery and self-control will he contribute something valuable to society. The leaders of India who have been disturbed about the growing indiscipline in our colleges and schools, have ample reason to look particularly well before they leap.

Lastly, the aims of the socialistic theory of education are false. Socialistic education is directed to the final aim of achieving the maximum degree of self-realization by the individual through proper participation in the institutional activities of society. All that the child prepares for

is efficient participation in affairs of society. All other aims, if any, are to be subordinated to the final social aim.

When the Creator of man and the Last End of all things is not the ultimate aim of education, educationists plough the sand. Advocates of a Socialist system of education

who eliminate God from their program may as well put Hamlet on the boards without the Prince of Denmark.

Educationists the world over are all eager to know whether "India's own brand of Socialism" is really out to play Hamlet without the Prince of Denmark.



Withdraw from the ILO?

Instead of advocating withdrawal, it would be preferable for American Catholics to insist that the United States participate in the International Labor Organization in a constructive, intelligent, and wholehearted manner, accepting its full share of responsibility for shaping the activities of the organization so as to promote social justice and international peace. This requires the cooperation of Americans from all walks of life who can work together with imagination and common sense—of Government officials, trade unionists and employers. Our Government should accept, not evade, its responsibility in the matter of conventions on labor standards. Our Government, employer and worker delegations should seize the opportunity to use the ILO as a forum to promote social progress and to stimulate the improvement of social and economic conditions in less developed countries. It is time to go forward and assume leadership, not to withdraw and allow the Communist bloc to benefit from our default.—*Policy statement of the Subcommittee on Economic Life, Catholic Association for International Peace, April 5, 1956.*

Artificial Insemination and the Law*

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WHILE statistics are necessarily incomplete because of the secrecy demanded, available data show human artificial insemination by third-party-donor (AID) to be widespread. A study, completed in 1941, was made by circularizing 30,000 physicians most likely to be associated with the procedure. Of this number, 22,358 doctors failed to reply. Yet, the survey revealed that 9,489 children were born in the United States as a result of artificial insemination. The number of "test-tube" babies, as they are called, is estimated to be about 50,000 throughout the United States and at least 10,000 in New York City. One writer reports an estimate of 1,000 to 1,200 AID babies born yearly in the country as contrasted with 4 million normally conceived children.

The practice of AID, however, poses thorny and perplexing questions of a legal, ethical and sociological nature. The legal aspects are in a state of confusion. Ethically, the position of the Catholic Church is clear and unequivocal but most other denominations are not yet com-

mitted to one side or another. Socially the impact of AID is still to be determined. It will be the burden of this article to review the legal aspects of AID.

American Precedents

The first recorded American case involving AID appeared as recently as 1948 in the Circuit Court of Cook County, Illinois. In *Hoch v. Hoch* a set of facts was presented in which artificial insemination was alleged. The court found that there had been adulterous relations in the ordinary sense and granted the plaintiff husband a divorce on those grounds. The judge, however, ventured the opinion, by way of dicta, that even if AID had been proved, it would not have been adultery such as to constitute grounds for divorce.

Shortly after the *Hoch* case the New York case of *Strnad v. Strnad* was decided. A couple, separated by judicial decree, was before the court at the instance of the wife who contested her husband's right of visitation to a child born during their marriage. The court assumed, in the

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light of the record and the concessions made by the defendant, that the plaintiff-wife had been artificially inseminated with the consent of the defendant-husband and that the child was not of his blood. The judge came to the conclusion that the defendant was entitled to rights of visitation as the evidence did not show him to be an unfit guardian but did indicate that the best interests of the child called for reasonable visitations.

At this point the court ventured an unusual argument. It expressed the opinion that the AID baby had been "potentially adopted or semi-adopted by the defendant" and that he was "entitled to the same rights as those acquired by a foster parent who has formally adopted a child, if not the same rights as those to which a natural parent under the circumstances would be entitled."

One senses, with some sympathy, the anxious efforts of a judge striving in some way to safeguard the legitimacy of a child faced with the two-fold jeopardy of disputed paternity and contested custody. The benevolence of a judge's feelings, however, are not always commensurate with the stringency of his logic.

In the *Strnad* case the court was hard put to find arguments to sustain the position that the AID child is legitimate. The words "potentially adopted" mean nothing in the New York statutes. Article 7, Section 110 of the Domestic Relations Law provides that an adult husband or an adult wife may adopt the child of

the other spouse, whether born in or out of wedlock. But the same section provides that no person shall be adopted except in accordance with Article 7 which provides specifically that adoption is a legal proceeding of a judicial nature.

Therefore, unless there is a formal, legal adoption of the child by the husband of the mother, the status of the child remains unchanged. In the *Strnad* case, since no legal adoption was alleged or proved, the only conclusion open to the court should have been that the child was illegitimate. For, implicit in the reasoning of the court was the premise that the child was born out of wedlock. Otherwise, why postulate a "potential" adoption? The inconsistency of holding a child admittedly born out of wedlock legitimate, because of an "adoption" which in law never took place, is obvious. In this instance the inconsistency must be attributed to the efforts of the court to steer between two undesired results—either of declaring this child (and all other children so conceived) illegitimate or of deliberately evading the provisions of the law.

To complicate the matter further, Mrs. *Strnad* subsequently removed the child from the New York jurisdiction by taking it to Oklahoma. The New York court held the wife in contempt for refusing to obey the court order allowing the husband visitation rights. But an Oklahoma court held that the husband had no visitation rights because he was not the biological father of the child.

The Doornbos Case

This was the legal status of AID until late in 1954 when the matter was revived in the now famous case of *Doornbos v. Doornbos*. The plaintiff-wife, appearing in the Superior Court of Cook County, Illinois, asked for a declaratory judgment on the following:

- 1) AID is not contrary to public policy.
- 2) AID does not constitute adultery.
- 3) An AID child is the legitimate child of the mother only and neither the father nor the husband has any rights to said child.

The court, however, held that AID, with or without the consent of the husband, is contrary to public policy and good morals and constitutes adultery on the part of the mother. A child so conceived is a child born out of wedlock and therefore illegitimate. As such it is the child of the mother and the father has no right or interest in said child.

This opinion caused an avalanche of public comment by the popular press, professional groups and individuals. Newspaper articles featured such catching headlines as "Tempest in a Test Tube," "Test-Tube Mother Ruled Adulteress," "Test-Tube Adultery Affirmed by Court." Bar journals, legal and medical periodicals rushed to the fore with particular views although only one professional organization has taken an official position on AID. The subject was a bonanza for the popular magazines, many of which ran articles on the

decision and the general subject of AID. Some of them were very indignant and heart-tugging.

The next step lies with the appellate courts, when and if the issue of AID is presented to them for review. In the meanwhile the law remains inconsistent and confusing.

Problems Multiplied

In those jurisdictions where the AID child is not legitimate, the status of the child is the same as that of children born out of wedlock. The child, therefore, may not inherit from the estate of the donor. The possibility that an AID child may or may not be legitimate according to the place of his birth creates additional problems. Questions of citizenship might arise when the donor is domiciled elsewhere than the mother.

Such difficulties multiply themselves by the number of people involved. If the child is implicitly illegitimate, is the mother therefore an adulteress? Can you have the legitimate birth of an illegitimate child? Can the husband of the woman who was inseminated without his knowledge and consent proceed against her in an action for divorce on the grounds of adultery?

Adultery in civil law, especially in divorce proceedings, is not as specifically defined as in criminal law. The crime of adultery is determined by the statute of the particular jurisdiction in which the crime is prosecuted. Furthermore, criminal statutes are always strictly construed. Hence, evidence which

might be adequate as grounds for a decree of divorce may be insufficient to sustain a prosecution for the crime of adultery.

If the husband has not consented to the artificial insemination, the husband may have an action in damages against the doctor and the donor. Moreover, if insemination leads to illegitimacy and adultery, is it not automatically forbidden by the law as against strong public policy?

The Physician

The physician involved in AID also finds himself in a very precarious position. Where the attending physician at birth was also the attending physician at the insemination, whose name should he inscribe as the father of the child? If he inscribes the donor's name, or says the father is unknown, the child is at once branded as illegitimate. If he inserts the husband's name, he is guilty of falsifying the official record. One solution adopted by some doctors is to let another physician, without any knowledge of the artificial nature of the conception, handle the confinement and delivery. In good faith, the second physician writes in the husband's name as the father of the child. Obviously this is an evasion which introduces deception and trickery into a profession where ethical behavior is of paramount importance.

There are other pitfalls which attend the physician. In the event that legitimate children were to be born in the same family where an AID

child had been introduced (and it happens often enough in adoption cases) may these children charge that the physician had conspired to deprive them of a lawful share of an inheritance? In one case in which the husband of a woman who had an AID child was indicted for abandonment, the child was reported to have been mongoloid. If this were so, might a cause of action lie against the doctor who performed the insemination?

The legal position of the donor in AID is one largely of liabilities and responsibilities. It looks as if he has little to gain and much to lose.

The donor may possibly be held for support of the child or children he has fathered, in the event that the husband of the mother should refuse at any time to support the "test-tube" baby.

If potential or actual adoption of the AID child by the husband of the mother is deemed to occur in those cases in which the husband consents to the artificial insemination, then there is some question as to whether the consent of the father of the child, the donor, has been obtained. But can consent to adoption be given at a time when no child is in existence? Or, is the consent of the father unnecessary since the law (the Domestic Relations Law of New York, for example) provides that consent shall not be required of a parent who has abandoned or surrendered a child? But does a donor renounce all rights to the ensuing offspring? And, if so,

is this a *legal* surrender or abandonment?

Inadequacy of Solutions

One solution to some of the problems created by AID, offered by many in good faith, is that the child be legally adopted by the husband of the mother, thus legitimizing the child. This solution, however, has the unique disadvantage of favoring the birth of illegitimate babies so that they may be made legitimate by adoption. Besides, a good number of these babies will never be adopted either through the neglect of the parents or because of the futile hope that the secret transaction between patient, physician and donor will never see the light of day. There is the objection, too, that formal adoption reveals highly personal information such as the artificial nature of conception, which becomes a matter of public record even though sealed.

In some jurisdictions it is possible that an adopting couple may run into statutes which set up sectarian limitations. In that case the religion of the parents may be a source of difficulty. Possibly the religion of the donor may also become an issue and may have to be revealed.

It is also a fact, well known to those who have gone through the process, that adoption is a lengthy procedure, usually taking six months to a year and one which can be costly as well. Finally, adoption may be beneficial to the child, but it still does not clear entirely the legal

status of the parents nor does it solve the problem of physician and donor.

To date legislation on artificial insemination has been proposed in several states but no proposals have been enacted into law. New York City, however, regulates the practice to some extent. Section 112 of the Sanitary Code provides that only a duly licensed physician "shall collect, offer for sale, sell or give away human seminal fluid for the purpose of causing artificial insemination . . ." Regulations 1 through 6 of the same section provide that whenever AID is performed, the physician shall keep a record showing the name of the physician, the name and address of the recipient, the results of the examinations as provided above and the date of the artificial insemination. The regulations provide, of course, that such records be kept confidential and open only to authorized persons. Nevertheless, these records kept by the Sanitary Code can be a source of worry and concern to husband and wife, physician and donor.

Since 1948 six states have attempted to pass statutes defining the status of AID children. In 1951 a bill was introduced into the New York State Senate providing that where there is consent, express or implied, by the husband to the insemination, the child shall be deemed to be the legitimate, natural child of both husband and wife for all purposes; that husband, wife and child shall be in the relation of parent and child and have all the

rights and duties of that relationship, including rights of inheritance from each other. This bill failed to pass the legislature.

Similar legislative proposals have been introduced in Virginia, Wisconsin and Indiana. A bill introduced into the Minnesota legislature would make AID unlawful but would declare legitimate children born as a result of it. An Ohio proposal would prohibit AID entirely, would declare children so conceived illegitimate and would impose penal sanctions upon violators of the provision.

While many solutions have been

suggested and much has been said from all sides, AID still remains one of the most perplexing problems of law. It is no ordinary problem. At issue are basic and fundamental values, for AID invades the very fabric of society—the home. Traditionally, the home has been regarded as the exclusive society of husband, wife and child. Each is joined to the other by ties more sacred than life itself. The child's birthright, his greatest possession, is the certain knowledge of his parentage and his secure status of legitimacy. Artificial insemination has put these concepts in the balance.



Dignity of the Individual

There is a vast difference between a defense of the essential dignity of the individual, made as he is to the image and likeness of God, and the claim that he may live and work as he pleases regardless of the social circumstances surrounding his actions.

God not only created man as an individual, but He also decreed that he would spend his years in a human society. Our relationships with our fellow men place obligations upon us which are needed for the very perfecting of ourselves as individuals.

The denial of social responsibilities and the rejection of the duty to cooperate with our fellow man goes by the name of "individualism." It reflects a false viewpoint of human life. Pope Pius XI bracketed this error with communism in his social teachings and condemned them both.

—William J. Smith, S.J., in the ADVOCATE, March 17, 1956.

Mother Dearest, Save Us!

PAUL HUME

A FEW YEARS ago Nelson Eddy gave a recital in Washington which I covered for the newspaper where I work as music critic. In my review I said that the popular baritone had sung a program of fine music, as he always does, but had made a real gaff by singing as an encore "The Rosary" by Ethelbert Nevin, a dreadful piece of slush that had no place in the repertoire of a serious artist. (For those who may possibly have been born after the first Roosevelt administration, let me explain that "The Rosary" is a sentimental turn-of-the-century love ballad that goes "The hours I spend with you, dear heart, are as a string of beads to me," or something on that order.)

Early next morning, as dawn broke over the home edition of the paper, my phone rang. A polite but firm voice said, "Mr. Hume? You don't know me. I'm just a Catholic layman in town. I've just read your review of last night's concert and I'd like to say something. I don't know what your own religious affiliation is, but as a Catholic I feel I should protest this insult to one of our Catholic hymns in honor of the Blessed Mother of God!"

As I hung up the phone—after assuring the gentleman that I had signed the Family Rosary pledge that very week and had intended nothing personal—a disturbing thought struck me. Here was a good, conscientious Catholic man who really believed that because a popular ballad was called "The Rosary" it was somehow consecrated to Our Lady and hence was above criticism from the likes of me. What, then, would he think if he knew the horrible truth about some of the musical atrocities that really *are* supposed to be doing honor to the Mother of God?

The Grim-Hymn List

I guess it's no secret to anyone any more that some of the hymns most frequently sung in Catholic churches are very bad hymns indeed. And it is infinitely regrettable that so many from the absolute bottom of the barrel are hymns about the Blessed Mother.

You know the sort of thing I have in mind. You've probably been singing them for longer than you can remember: "Mother Dear, O pray for me," "Mother Dearest, Mother Fairest," "O Mary Conceived with-

*Reprinted from the *Marianist*, University of Dayton, Dayton 9, Ohio, March, 1956.

out Sin," "Bring Flow'rs of the Rarest," "Tis the Month of Our Mother," "Rose of the Cross, Thou Mystic Flower," "O Mother I could Weep for Mirth," and others cut from the same shoddy bolt.

Why are they bad hymns?

Because they are bad music. (Some of them are also execrable poetry, but it is not within my bailiwick to discuss poetry in the public print.)

Why are they bad music?

If the editors of this magazine would care to hand over the whole issue for the purpose I would be glad to go through the above-named items note by note and point out the melodic, harmonic, and rhythmic crudities that make them impossible. The ear boggles before the wealth of examples. But even so it is a tricky question to argue on the basis of musical values because too many people want to start the argument by denying the fact that there is such a thing as bad music. "It's all a matter of taste," they say. "It's all the individual opinion. It all depends on what you like."

There is a small, deceptive grain of truth here, for there is certainly room for an infinite degree of individual taste *within the framework of good music*. But there remains an irreducible minimum below which a piece of music cannot fall and still be taken seriously. And when it comes to hymns there are certain clear-cut and objective standards—the rules of the game, if you like—that must be observed. When they

are flagrantly unobserved, then you've got a bad hymn.

To deny the existence of bad music simply because one does not understand the technical aspects of its composition is like denying that there is such a thing as nuclear fission because one has never seen an atom.

But there is another school of thinkers to be reckoned with, and it is much more influential than the first one. Not everybody who recoils in horror at the thought of scrapping "Mother Dear" and "Mother Dearest" really believes that they are good or even acceptable music. ". . . but what's the difference as long as it makes people feel good to sing them? Novenas and Rosary Devotions and May Processions aren't liturgical ceremonies anyway, and as long as people don't sing these hymns at Mass, they're all right!"

In 1903 when Pope Pius X issued his *Motu Proprio* on Church music, he wrote these much quoted words:

Sacred music must, therefore, possess in the highest degree the qualities which characterize the liturgy, and in particular, holiness and goodness of form, from which two qualities will spontaneously arise its third quality, namely, universality. It must be holy, and therefore exclude everything that is secular . . . It must be real and true art, since in no other way can it have on the mind of those who hear it that efficacy which the Church desires in admitting into her liturgy the art of musical sound.

Now most of the items on the

grim-hymn list were already going full blast in 1903, but the Pope's words unequivocal as they sound, did little to deter their subsequent career. No sooner was the *Motu Proprio* off the press than the champions of the just-so-it-makes-you-feel-good school of thought went to work on the argument for getting around the "true art" clause: the Pope was only talking about music at liturgical functions. Although the *Music Regulations of the Province of Rome*, issued shortly thereafter, attempted to plug the loophole by saying that *all* music used in Church had to conform to the Pope's standards, the news was received with stoic indifference. Somehow the music regulations for the Province of Rome cut little ice at novenas in Bayonne, New Jersey, or evening devotions in Saulk Center, Wisconsin. "Mother Dear" and "O Mary Conceived Without Sin" continued to waltz their merry way through the churches of America.

New Encyclical

Finally, after fifty-two years of arguing, the final word on the subject was said—some nine weeks ago. It came from Rome.

On December 29, 1955, the text of a new encyclical on Church music was released. The only encyclical written in 1955 by Pope Pius XII, *Sacrae Musicae Disciplina* is the first such document which the present Pope has devoted exclusively to the subject of sacred music. (If you want to be technical about it, it's the

first encyclical ever written on the subject, as St. Pius' great document took the form of a *Motu Proprio* which is a different method of promulgation.)

The problems posed to serious Church musicians by the old if-it-isn't-sung-at-Mass-it-does-not-have-be-good school must have been prominent in the mind of his Holiness, for *The Discipline of Sacred Music* makes quite a point of giving it the *coup de grace* once and for all. The Pope affirms beyond a shadow of possible doubt that *any* religious music whether used in liturgical or non-liturgical services must "possess the qualities of holiness, goodness of form, and universality" originally specified by Pope Pius X . . . Any sacred music for *any* occasion, liturgical or non-liturgical.

The new encyclical does something that no papal writing on sacred music has ever done before. Neither the *Motu Proprio* of Pope Pius X nor its great companion piece, the *Divini Cultus* of Pope Pius XI, had much to say on the subject of hymns. Pope Pius XII has a great deal to say on the subject! So great does he consider the importance of hymns in "fostering piety and arousing holy joy" and as part of the religious training of youth, that he urges the bishops of the world to promote the singing of them with "every care and by every means." The Pope says, "Experienced persons will not be lacking to collect such hymns, where it has not been done already, so that they can more easily be

learned and memorized by the faithful."

He goes on to remind us that popular hymns, in order to be acceptable, must fully conform to Christian teachings, must have easy words and a simple tune, and must possess "a certain religious dignity and gravity."

If hymn-singing, then, is so important in the eyes of the Pope, there seems to be a very real obligation on the part of us all—clergy, teaching Sisters and Brothers, Church musicians, and congregations themselves—to do something about the rather low estate into which it has fallen. There is a great deal of messy thinking on the subject now being done in certain circles. Many of the circles, regrettably, are those concerned with the Marian devotions.

Mind of the Church

Perhaps it is naive to think that the encyclical will correct matters. We know perfectly well that every pastor who for years has been taking these hymns as a matter of course is not going to ban them as of this week just because a new encyclical on music has appeared. (I predict the following argument: "What makes you think the Pope meant we had to stop singing our beloved old hymns? He didn't name them, did he? What's undignified about "Mother Dear" or "Mother Dearest"?")

But there are two statements in the encyclical that simply cannot be read equivocally. Now firmly estab-

lished as the mind of the Church on hymns are these points: 1) Hymns must conform to the same standards of good form and artistic integrity as *any* music used in liturgical services. 2) They must be simple and easy to sing.

And this brings up a point I would like to make so strongly that I wish the printer could furnish red italics for the purpose. The inferior hymns we have been discussing are by no definition of the terms simple or easy to sing. They are anything but simple and easy to sing. Wide, swooping intervals and an unconscionable use of the sixth (or what I always think of as the "Liebestraum leap"), rampant chromaticism (or barber-shop harmony) do not combine to make an easy-to-sing hymn. Nor does the three-quarter time in which many of these hymns are written help. Most of them, remember, come from the era when the waltz rhythm was at its height.

The only problem is that although they are actually waltzes they are not supposed to sound like waltzes when sung in church. This leads to one of the real ulcer-producing situations in the life of a parish organist. If he plays the hymn at a reasonable rate of speed, in an optimistic effort to drag the congregation along behind him, he will have to give a strong beat to indicate the tempo. Sing "Mother Dear" with a strong beat on the first note of the measure and what have you got? A beer-garden waltz with the foam fresh on it. But if

the organist fails to indicate the beat by means of a strong accent, then the congregation lurches along at its own rate of speed, with the familiar results. The innate difficulty which amateurs find in handling music of this sort may be the explanation of a point which has eluded me for years: if the people are supposed to be so mad for these hymns, from years of familiarity, then why do so many congregations sing them so badly?

I can think of nothing more salutary for a congregation which feels strongly on the subject of "old favorites" than for someone to sneak a tape recorder into novena devotions some night and make a tape of "O Mary Conceived without Sin," one of the draggiest of all hymns. (After an immediate playback any congregation that wishes to go on sounding that way should be allowed to do so.)

The Truly Traditional Hymn

From the purely musical point of view, one of the most fatuous statements made by proponents of the "old favorites" is the one that urges people not to ridicule "traditional hymns the people love and sing with feeling" until such time as "modern Church musicians can give us something better."

Modern Church musicians are simply knocking themselves out giving you something better, friends, if only you'll listen to what they have to offer and stop fussing about "tradition." How, by the way, can

these hymns be called "traditional" when their average age is about seventy-five? It takes a little longer than that to make a tradition. Consider, for example, "Mother at thy Feet is Kneeling." It is one of the oldest of these so-called "traditional" hymns, but its melody dates only from the mid-1860's. This melody, note for note, used to belong to a civil war ballad entitled "Take Me Back to Home and Mother." Converting this to "Mother at thy Feet is Kneeling" was not exactly plagiarism, for in those days it was customary for the musically naive to set religious texts to the popular songs of the hour. "Take me Back" was a big hit in its day—in a class with "The Yellow Rose of Texas" and "Bonnie Blue Flag." But its qualities as a hymn-tune were dubious then and are dubious now.

Where do you find good hymns to replace the "old favorites"?

In a good hymnal.

There is a small but sufficient number of good hymnals now in print or in preparation. The most valuable one I have ever seen for congregational use is just off the press. Every pastor and every novena-sponsor concerned with proper Marian hymns should investigate it at once. This is *The People's Hymnal*, published by the valuable World Library of Sacred Music, Cincinnati, Ohio. The hymnal is edited by a group at Catholic University's Theological Seminary. A tougher group of dedicated and discriminating young men I have yet to meet.

In order to "make" *The People's Hymnal*, a hymn must be irreproachable both in text, music, and arrangement. The hymnal can be had in the familiar "card" form (words and melody), divided according to the liturgical season and to general usage. But what a difference from the hymn cards we are accustomed to!

The work is a gold mine of beautiful, simple Marian hymns (among others). All hymns are in English and many widely-sung favorites are included. The Lourdes hymn, "Immaculate Mary"; "O Sanctissima"; "Hail Heavenly Queen, Enthroned above": these should surely ring a bell in the minds of people who like their hymns familiar. It also contains some excellent material written to its exacting specifications of

musical quality and simplicity by some of the finest modern composers working today. The noble hymn-tunes of the 17th and 18th centuries, which saw the flowering of the form, are there too. And there are excellent translations and arrangements of the Chant hymns including the great antiphons of the Church in honor of the Blessed Virgin, like the *Salve Regina* and the *Ave Regina Coelorum*. These are the "old favorites" of the Church. These are the "traditional" hymns. These are the pure, illuminated melodies, simple and eloquent as music can be, by which we can most fittingly sing the praises of the woman clothed with the sun, with the moon beneath her feet.

She deserves much better hymns than she's been getting lately.



Place of the Private Devotion

Private devotions, although good in themselves whenever approved by lawful Church authority, are nevertheless not to be given equal status with the official liturgy of the Church. What the Supreme Pontiffs wish to achieve is not only a better understanding of the public and official worship of the Church, but also a more active participation of the laity in the liturgy itself.—*Most Rev. Karl J. Alter, Archbishop of Cincinnati.*

Examination of Conscience for Labor and Management*

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Employers

MORAL ASPECTS. Am I fully aware that the moral law applies to human actions in the marketplace and industry?

Is the policy of my company guided by a Christian moral code?

Am I conscious that my status as employer presents opportunity to fulfill to a high degree the great commandment of love of neighbor?

Do I recognize the dignity of the individual worker as a child of God, redeemed by Jesus Christ, as a person with an immortal soul and eternal destiny?

Do I know that for every right of management there is a corresponding duty? Have I a clear knowledge of my rights as an employer? Am I aware that many rights, formerly exclusive, are now moderated by union and government action?

Do I seriously study the social doctrine of the Church? Am I aware that certain economic principles, i.e., concentration of power, are opposed to that doctrine?

Does my company practice dis-

crimination on racial, religious or nationalistic grounds?

Economic Policy. Do I strive to achieve a fair balance between the aims of workers, owners and consumers?

Do I hold that human relations are more important than technical relations?

Do I know that materialistic (*laissez faire*, liberalistic) capitalism as well as materialistic, atheistic Communism has been condemned by the Church?

Do I strive for the reformation of the private enterprise system?

Do I plan intelligently, as far as possible, to insure stable employment? To eliminate seasonal ups-and-downs?

Do I understand the concept of the common good?

Do I offer the consumer a quality product at a reasonable price?

Unions. Do I accept the natural, God-given right of workers to organize? Do I firmly believe in the principle of collective bargaining?

Have I developed a cooperative

*Reprinted from *Labor-Management Panel*, University of San Francisco, San Francisco 17, California, December, 1955.

attitude toward responsible unions?

Am I proud of the labor relations within my plant? Have I carefully placed the right man to handle them? Are my foremen well trained, informed on company policy, with sufficient responsibility and authority? Is there an efficient grievance procedure?

Do I ever strive to interfere in the internal affairs of the union? To make use of "stooges"?

Do I bargain in good faith and faithfully observe the agreement?

Workers. Do my workers enjoy just wages? Good working conditions? Am I familiar with the question of family allowances?

Does my company have a sound pension system? Insurance programs? Other fringe benefits? Do I discriminate against older applicants for work?

Do I encourage the formation of credit unions?

Do my workers have pride in their job and product? A real sense of participation in the company?

Do I avoid all trace of paternalism?

Varia. Am I a member of a progressive, fair-minded management association?

Is my personal and family life an inspiration to my employees?

Workers

Dignity of Work. Do I constantly call to mind my dignity as a child of God and my destiny of eternal life in Heaven?

Do I know that through my work,

however humble, I can honor, love and serve my God and my neighbor?

Do I reflect on how Christ the Carpenter bestowed dignity on all work?

Do I appreciate what the Church has done for the workingman?

Am I interested in the principles of private property?

Do I understand the danger of communism to the worker? the nation? the Church?

Education. Do I strive to improve my skill?

Have I tried to gain more knowledge of industrial relations? by reading? by adult education?

Do I understand the true nature of unions and collective bargaining?

Do I have a sense of participation in my company? Is it my fault that I do not understand its general policies?

Duties at Work. Do I always do an honest day's work? Am I absent from work without due cause? Frequently or seldom? Is alcohol the reason? How much of my work is rejected?

Am I guilty of featherbedding? Stretching-out the work? Am I doing this because of subservience to the union or on my own responsibility? Do I realize that this is a waste of manpower?

Unionism. Do I realize the importance of promoting public confidence in labor unions?

Do I attend my union meetings regularly? Do I participate without fear in the discussions? Do I always vote for the best officials?

When I have a just grievance, do I present it through proper channels?

Is my union free from subversive elements? from racketeers?

Is my political vote based on conviction and not merely union pressure?

Management. Do I have respect for my foreman and higher management? If not, what is wrong?

Do I appreciate the efforts of management and owners to have an efficient and successful company?

Do I respect the property of the company entrusted to me?

Am I proud of my company and its products?

Do I sincerely appreciate all the fringe benefits which my company affords?

Varia. Do I appreciate the benefits of the Social Security Act?

Do I discriminate among my fellow-workers because of color, race, or creed?

Am I familiar with the question of family allowances?

Am I familiar with the principle of subsidiarity in the social doctrine of the Church? With the idea of Christian industry councils?

Am I convinced that a worker who can sincerely give answers to these questions is making his most important contribution to industrial peace and prosperity?

Labor Leaders

Moral Aspects. Do I recognize that the actions of labor unions fall under the moral law? Am I convinced that

industrial relations cannot be divorced from morality? Do I see that religion, not the State, will reform industrial society? Do I affirm that the Church has the right to speak on problems of the social order?

Do I recognize the dignity of all men as children of God, by true love of neighbor?

Do I discriminate on racial, religious or nationalistic grounds? Am I honest and above reproach from all parties concerned? Have I made certain that welfare and other funds are safely protected from fraud and scandal? Would I act in collusion with an employer to check legitimate union gains? Do I realize that opposition to unionism is largely because of corrupt leaders—men who betray their fellow-workers?

Rights and Duties. Have I a clear knowledge of the rights of labor? Do I recognize that the right to organize is a God-given, natural right, not from the State? Do I know that every right has a corresponding duty?

Am I conscious of the duty of promoting greater public confidence in unions? Am I willing to make sacrifices in my field of action? Do I strive to solve difficulties before they become hot issues?

Do I insist that workers give an honest day's work for an honest day's pay? Do I check to see that they live up to the contract? Do I try to break down the outmoded attitude of antagonism of workers toward their employers?

Union Members. Do I possess the

high respect of members of my union? Do I know that my acts reflect on the members I represent?

Am I proud of the relations between my union and the plant? Have I made certain that my union members have a fair knowledge of the contract?

Do I strive to have grievances settled fairly and quickly? Do I make union meetings worthwhile to attend? Do I seek to advance within the union by flattery, by selfish cliques?

Is my zeal for true unionism still strong? Do I see in my work an apostolate for social justice? Do I endeavor through personal conviction and example to sell the benefits of unionism to the unorganized?

Do I know that unions are the prime target of Communism? Have I been guilty of disloyalty by joining or unwittingly giving help to subversive movements?

Private Enterprise and Management. Have I a moderate knowledge of the American enterprise system? Am I alert to the dangers to that system inherent in Socialism and Communism?

Where do I stand in regard to economy in government and to restriction of government activity in conflict with private enterprise? Am I alert to problems, like automation, which affect employment? Do I advocate programs of labor-management co-operation to reduce costs and increase production? Am I familiar with the general policies of the firm?

Do I advocate programs of ownership of stock by unions and union members? Have I developed a cooperative attitude toward fair-minded management? Am I still a devoted, energetic representative or have I fallen into a lazy, bureaucratic state of mind?



The Fundamental Rights of Man

When people talk about the supremacy of Parliament, meaning that Parliament can legislate as it chooses about the fundamental rights of man—the right to life, to worship, to marry, to education, to free movement, to work and to own property—our reply must be that such supremacy is immoral. No human authority can claim such power over man. Parliament is bound by the moral law as much as individuals and must respect the rights of individuals in legislating for their common civic prosperity.—*Most Rev. Denis E. Hurley, O.M.I., Archbishop of Durban, Union of South Africa.*

Coexisting with Communism*

C.A.I.P.

COEXISTENCE, as applied to relationships between the Communist and non-Communist worlds, is a term subject to several interpretations. It can be used to describe an absence of hostilities or a nominal state of peace between these worlds, such as existed during the period from 1919 to 1939. It can mean ideological accommodation of the type advocated by many liberal thinkers during the period 1935-1950. Or it can mean one of several policies developed to prevent tension between these worlds from erupting into open warfare.

In the present statement, only the last-named meaning is under discussion. We need not debate the desirability of avoiding actual warfare. To the Catholic, at least, the idea of ideological accommodation with communism is repugnant, since the Communist view of life is diametrically opposed to basic Christian principles. This opposition between Christianity and communism has been clearly stated both by Pope Pius XI and by the present Holy Father. In his 1955 Christmas Message, Pope Pius XII emphatically

stated: "We reject communism as a social system by virtue of Christ's doctrine and we have a particular obligation to proclaim the fundamental principles of natural law."

Despite this conflict and the obvious continuing Communist efforts to infiltrate and subvert, we consider that some type of political accommodation is justifiable and possible in the effort to avoid war. In this context, we raise the question: are all forms of political coexistence justifiable on moral grounds?

As early as 1931 the Europe Committee of the Catholic Association for International Peace pointed out that Russia "throws out the challenge that the countries of Europe and of the whole world must inevitably follow its example, that it will help Europe to change by revolution into societies committed to communism, and that it will help colonies, protectorates and spheres of influence in Europe's vast empires to revolt. The challenge is unmistakable and vital. The United States with its new interest in Europe and in the world meets the same challenge and contest . . . The chal-

*A policy statement by the Committee on Ethics of the Catholic Association for International Peace, 1312 Massachusetts Ave., N.W., Washington 5, D.C., January 19, 1956.

lenge and conflict are thoroughgoing."

The Soviet Menace

At various times during the last decade, non-Communist nations became aware of the effective hostility of the Soviet Union and its satellites toward the rest of the world. The adjective "effective" is important. There is little reason to doubt that this hostility existed from the very beginning of the October Revolution. It was covered up in the days of the New Economic Policy, and again during the period of the United Front. But many students of communism, at least, had no doubts about the irreconcilable antagonism between the two worlds.

The advent and conclusion of the Second World War led to marked changes in the external manifestation of hostility. Russia seized Eastern Poland, the Baltic States and part of Finland during the Communist-Nazi Pact. When the war left a power vacuum in both Europe and Asia, the Soviet marched in to expand its area of control. It used the weapons of actual or threatened aggression, political manipulation, and domestic subversion with marked success. The result was a ring of satellite states, conquest of the immense land and population mass of China, and an uncertain equilibrium in many important areas, such as France and Italy, Indonesia and Vietnam. Subversion led to Communist islands in Latin America. Political maneuvering has con-

tributed in part to the growth of neutralism in the face of the titanic struggle of these times.

The advent of atomic weapons changed radically the nature of the Soviet menace. Today there is little assurance that any nation can survive an all-out atomic war. It is within the power of the Soviet Union to annihilate the major urban centers of Western Europe. Probably it could do the same to the United States. Even were retaliation fully feasible and morally permissible, it would be small consolation to a world reduced to devastation.

Our world faces the possibility of an absolute struggle, in which hundreds of millions might die and most of the priceless values and achievements of Christian culture would be obliterated. In the face of such a fearsome threat, it is quite understandable that the problem of coexistence should be raised. To many it seems to be a choice between coexistence and non-existence. Some *modus vivendi* must be found, because the *modus moriendi* is all too evident. Pope Pius XII explained the problem in his 1954 Christmas Message when he said:

The principal foundation on which the present state of relative calm rests, is fear. Each of the groups into which the human family is divided, tolerates the existence of the other, because it does not wish itself to perish. By thus avoiding a fatal risk, the two groups do not live together, they coexist. It is not a state of war, but neither is it peace: it is a cold calm. Each of the

two groups smarts under the fear of the other's military and economic power. In both of them there is a grave apprehension of the catastrophic effect of the latest weapons.

Attitudes Towards Russia

Many terms and phrases have been used to describe the attitudes toward Soviet Russia. There is the familiar term "appeasement." Appeasement may be described as a diplomatic method of throwing a victim to the wolves.

There is also the attitude of "neutralism," which in the present context might be described as invoking "a plague on both your houses." Neutralism is often a result of a combination of exposed geographical position and military weakness. It can lead to tragic gestures of appeasement, with the spokesmen for such nations or factions using different scales in weighing the faults of the United States and its allies, and those of the Soviet Union and its satellites.

Then there is the policy of "containment." The American policy of containment called for building up armies and alliances throughout the world, so that the Soviet Union would not dare to pick off weaker and more vulnerable nations while maintaining correct attitudes towards its more powerful opponents. This policy also envisioned the erection of barriers against psychological warfare and internal subversion, through such devices as information services, exchange of persons, and

technical assistance. The objective of containment was not merely defensive; it was intended, by blocking Soviet expansion and maintaining a psychological offensive, to subject the Soviet to internal pressures which might force a change of policy.

Another form of adjustment to the continuing challenge of Communism can be described as "competitive coexistence." Here the emphasis is more upon economic and political factors than upon military strength. Behind this state is the assumption that war is unlikely. The Soviet Union is considered unlikely to provoke war, either because it feels it can accomplish more by peaceful means or because it fears the momentous consequences of atomic war. As a result, it strives to win over neutral and uncommitted nations by a series of blandishments. It promises economic aid, cultural interchange, political support, and other similar inducements to gain the allegiance of powers not presently within its camp. We in turn are urged to counter this appeal by sounder and more substantial offers of aid to these nations.

Quite different from these four negative approaches is the policy called "liberation." This envisages a rolling back of the Soviet empire and presumably even the freeing of the Soviet masses from the iron grip of communism. The techniques of liberation have never been fully defined. Few of its advocates have

openly called for military expeditions to free the enslaved. What is usually implied is "psychological" warfare, political maneuvering, economic pressures, and the fostering of internal resistance within the Soviet orbit.

Finally we may consider the idea of "preventive war." Presumably this means the immediate unleashing of atomic warfare at certain key centers of Soviet power without awaiting further communist provocation. At the least it would mean the destruction of Soviet atomic centers, followed by certain ultimata which would end once and for all the threat which now hangs ominously over the world.

This list is not exhaustive; within any category there are gradations of policy and variations in tactics. Coexistence obviously could be any of the policies listed save the last two named: liberation and preventive war. All the other terms seem logically compatible with coexistence, except that the victims of appeasement would coexist within the Soviet empire instead of outside of it.

Coexistence, therefore, implies a *modus vivendi* between forces that differ sharply in ideology, principles, policy, program, and way of life. It can range from a truce between bitter enemies to a friendly state of accommodation or even cooperation.

Moral Judgment Difficult

The equivocal nature of the term coexistence makes it extremely dif-

ficult to attempt firm moral judgments upon it. To add to the difficulty, moral judgment can hardly be made in a vacuum. When moral principles are applied to a complex political reality, the whole apparatus of practical, prudential judgment must necessarily be brought to bear on the matter. It is easy to say, for example, that no nation should go to war without the most cogent and just reasons. But the evaluation of such reasons involves more than knowledge of moral science; it calls for complete possession of facts, plus the ability to weigh pertinent political, economic and military considerations.

In relation to the present context, the question must be asked, does the Soviet Union, despite its shifting policies, persist in its attitude of hostility toward the non-Soviet world? Does it aim at world domination by one method or other?

If we assume a negative answer, as do some of the advocates of coexistence, then the moral issue is considerably narrowed, for we would then face no danger of war or subversion by the Soviet Union. Our only question in conscience would involve our obligation to right past injustices plus the continuing injustice practiced by communism upon its victims. We might then argue that the good to be obtained by trying to right injustice would be outweighed by the stupendous evils occasioned by provoking an atomic war. Our conscience would be further soothed

by the hope that commercial and other relationships might give us the opportunity to break down barriers of distrust and hostility. We might have legitimate grounds to hope that Communist tyranny would be moderated, as the rulers of the Soviet recognize the greater achievements of a free economy. Undoubtedly elements of hope and fear explain much of the appeasement variety of coexistence: hope that a new view prevails in Soviet Russia; fear of the consequences of absolute war.

The grounds for rejection of this optimistic position remain solid. They are, in fact, continually confirmed by Soviet actions. Recent changes and concessions within the Soviet Union are matters of tactics rather than strategy. We may interpret them as more clever forms of aggression than those used by Stalin. Trade concessions could fit in a pattern of economic warfare; while diplomatic maneuvers may well be interpreted as steps in political warfare.

It is not merely suspicion or *a priori* distrust of communism that provokes this more pessimistic view. Rather it is an awareness that the hard material facts of Communist military preparation have not yet changed: increasing production of atomic weapons; submarine and other naval expansion; an enormous air force with advanced bases; a large standing army; diversion of the major part of the annual economic product to military produc-

tion; provocation and encouragement of subversion within free nations; and promotion of conflicts between neighboring nations. Surely the intelligence and espionage systems of the Soviets are such that they know that peace is theirs for the asking. They know that they could disarm safely and with iron-clad guarantees, if only they would in turn give the rest of the world equal guarantees. They are well aware how precipitately the United States disarmed after the Second World War, until forced to rearm by evident Communist aggression.

Granted any reasonable validity for the above analysis, then the appeasement or neutralist variety of coexistence seems imprudent to a major degree, even suicidal. It involves Communist domination, which would endanger all the higher values of human culture. Surely such a course must merit moral condemnation. We must survive as free men, if this be possible, rather than lose all under atheistic communism. Whatever sacrifice or hardship is demanded for freedom can hardly be counted too great. If we accept coexistence it must be on grounds which assure the maintenance of our freedom.

Task of Diplomacy

The method of achieving this type of coexistence is to be worked out mainly in terms of political prudence. *So long as the means we use are not in themselves immoral, it is the task of morally motivated diplo-*

macy rather than abstract moral judgment to work out effective programs for maintaining our independence. That morality cannot be disregarded in the achievement of this end was brought out by the Holy Father in his 1955 Christmas Message:

Man, face to face with opinions and systems opposed to the true religion, is of course, always bound by the limits established by God in the natural and supernatural order. In obedience to this principle, our peace program cannot approve of an indiscriminate coexistence at all costs with everybody; certainly not at the cost of truth and justice. These irremovable boundary marks, in effect, demand complete observance.

On the basis of the best available data and analysis of Soviet measures and intentions, it is the duty of the governments which are not dominated by communism to determine what measures are most practicable and efficacious in defending our essential freedoms and in developing true peace. The range of possible measures runs from freer exchange of ideas, trade and persons, on the one hand, to the other extreme of "cold war," with maximum measures, short of war, to destroy the Communist conspiracy.

In any case, it is still true, as the CAIP Subcommittee on Economic Life pointed out in 1950, that "in the East-West cold war, the issue will be decided, short of war, by whether or not the West will use its wealth and ability for the gen-

eral welfare and whether it will do so without sacrificing personal dignity." Regarding the ultimate outcome of the current coexistence, Pope Pius XII has declared that:

The present co-existence in fear has . . . only two possible prospects before it: either it will raise itself to a coexistence in fear of God, and thence to a truly peaceful living-together, inspired and protected by the Divine moral order; or else it will shrivel more and more into a frozen paralysis of international life, the grave dangers of which are even now foreseeable.

* The principles discussed in this statement are of greatest importance whenever there is a slight shift in Soviet tactics with a temporary "lessening of tension" and an ensuing uncertainty as to both short- and long-range Soviet intentions. Whatever the ultimate answer may be, it is essential that we continue to proclaim and practice our principles about communism, freedom, and the dignity of man. We may devoutly hope for a basic change ultimately behind the Iron Curtain. We can and should continue to strive for a just and durable peace, and for the pre-conditions needed to bring this about. But at no time should we allow the emotional release occasioned by lessening tension to obscure our judgment on long-term trends. Without compromising our basic principles, we should not close the door to the possibility of achieving real peace and freedom throughout the world.

DOCUMENTATION

Easter Message*

POPE PIUS XII

AS PEOPLE awakened by the paean of victory of the Divine Redeemer, and bathed in the brightness of His mystical light, you have come together here, dear sons and daughters, to join your hymn of triumph to the exultant voices of the angelic choir: "*Exsultet iam angelica turba coelorum*" (Paschal Hymn).

The powerful chorus of joy which re-echoes in this hallowed place, so rich in deep and moving Christian memories, is a wonderful part of the undying hymn which the Church has been singing for 2,000 years to her Divine King, the Conqueror of Death.

Hence, it is now right and just that your triumphant greeting to the Risen Christ—bursting forth from hearts in which joy overflows at having found light, constancy and life in Him—should spread abroad the message that this year's celebration of Easter should be primarily a recall to faith in Christ. It is addressed to people who, through no fault of their own, are still unaware of the saving work of the Redeemer; to those who would wish to have His name wiped out of the minds and hearts of nations, and finally, in a special manner, to those souls of little faith who, seduced by deceptive enticements, are on the point of exchanging the priceless Christian values for those of a false earthly progress.

May the hour hasten in which the whole world, enlightened by the brightness of the Eternal King, may be filled with joy, as you are today, and feel itself set free from the spiritual darkness so oppressive, particularly in our days. "*Totius orbis se sentiat amisisse caliginem*" (Paschal Hymn).

But how can your message be convincing and arousing, dear children of Rome and of the Catholic world, if your faith is not sincere and well

*Given on Easter Sunday, April 1, 1956.

founded, alive and active? You represent, without doubt, that "humanity without fear" which, living in the midst of the storms of the world, knows how to preserve intact in the depths of its soul an essential serenity, ready in turn to face evil and disorder so as to triumph over them by good deeds.

But what foundation has this serenity of yours? It is surely not founded or at least not primarily—in the vaunted all-powerfulness of man over means of material progress or over the growing possibilities of organization, or even exclusively in his capacity of defense against the threats of men and of nature.

Serenity, the fruit of security already possessed, is rooted principally in faith in Christ.

If fear, widespread at the present time among men, has no place in your hearts, you owe that to the "*nolite timere*," the "fear not" spoken by Christ to His disciples at all times. You owe it to the certainty that as members of His Mystical Body you will be made sharers in His victory over the world; that is to say, over the kingdom of darkness, of uncertainty, of death, with which you are surrounded.

Faith is then the light, substance, protection of life. It is the banner which will be favored with victory in the spiritual warfare which every Christian is called upon to endure. In the actual words of the apostle, St. John, "this is the victory which overcomes the world, our faith" (I John 5:4).

Yet, not to every appearance of faith is guaranteed the victory, but to that faith which adores in Christ Crucified, the Only Begotten Son of God, Who, risen again, "ascended into Heaven and sitteth at the right hand of the Father, and Who will come again, full of glory, to judge the living and dead"; to that faith which is transformed into works of complete justice, in the observance of the Commandments and of obligations; which is summed up, in a word, in the love of God, and through Him and in Him, of brothers, of all men, particularly of the lowly and the poor.

The New Appearance of Faith

What would, on the other hand, be a mere appearance of faith, destined to defeat, is what we might call the vague sense of Christianity, flabby and empty, which remains on the outer threshhold of conviction in the mind, and of love in the heart. It is not set into the whole structure of life, whether public or private.

It sees in the Christian law a mere human ethic of solidarity, and a certain attitude to promote work, technique, extrinsic well-being. Those who flourish the deceiving banner of this vague Christianity—far from supporting the Church in the tremendous struggle imposed on her to safeguard for men of the present age the eternal values of the spirit—increase the confusion, making themselves, in a sense, allies of Christ's enemies.

Such in particular would be those Christians who, either ensnared by deceit or crushed by terror, cooperated in doubtful systems of material progress which demand, as a complementary contribution, the abandonment of the supernatural principles of the Faith and of the natural rights of man.

Founded on the living rock of Faith, the unique assurance of her integrity, the Church lifts up among men the banner of victory, so that sincere and active believers may work out their common salvation under her guidance. The Church fears nothing from the world, nothing in the world, for she lives at every moment the mystery of Easter with its heartening greeting, which is also the promise of the risen Saviour: "*Pax vobis*," "Peace to you" (Luke 24:36).

Through His all powerful help the Church, just as in the past she has feared neither tyrants nor the obstacles raised against her courageous activity, even in the field of civic achievement, so today she feels strength and courage to grasp the thorniest problems that assail humanity, such as that of the establishment among men of coexistence in truth, justice and love.

Trust Indispensable

Unshaken trust is an indispensable condition to the triumph of peace. Those, therefore, who allow themselves to bend before a pessimism which is cleverly diffused, and finds expression in the cheap saying, "It's all of no use," are surely not partisans of peace.

Nor are those others who see only what is still lacking, what has not yet been fully achieved, and readily lend an ear to the whisperings of those sowing discontent. They close their eyes to much already accomplished in the reform of the social and economic order, by which they, too, profit—advantages frequently obtained through exhausting labor to overcome almost insurmountable obstacles.

The true friends of peace must know how to react interiorly to such insinuations, and be persuaded that it is precisely on the weak points

of man—his pessimism, his cupidity, his envy, his urge toward unfounded criticism—that the enemy of peace exerts pressure to sow confusion in minds. He uses now one, now another of those passions, and arouses one or the other, threatening or cajoling; here discussing, there blaming; today exalting his myths, tomorrow deriding them; today harshly withdrawing, tomorrow making an approach; today announcing a new system, to return tomorrow to the old.

On the other hand, dear children, you must note that true peace is not a state of repose like death, but rather the power and activity of life. Hence it follows, the more exalted the being and more intense the operation, the deeper ought to appear the harmony of peace, which, consequently, is not opposed to any achievement of the mind nor to any development of productive or technical activity. It rather creates the conditions which are most suitable for the progress of every work, in the arts, economics, politics and science. Indeed, it is well known to all how some rapid and far-reaching results of human achievements can actually create anxieties and fears in men, putting in grave danger their individual and social life.

Development of Nuclear Energy

It is sufficient to consider what has recently taken place in the applications of nuclear energy about which so much is being written, and on which is being concentrated so much study, so many hopes and fears.

The use of this enormous energy for peaceful purposes is the object of careful and continuous investigation, to which is given Our blessing together with the approval and congratulation of every honorable individual and of all civilized peoples. Its employment, in fact, for means of transport which will render easier and more expeditious the exchange of raw materials to ensure their distribution to all members of the great human family; the application of radioactive isotopes to the knowledge of biological matters, to the cure of serious illnesses, to methods of particular industrial processes; the production of energy in atomic centers—these open new and marvelous horizons to the history of the human race.

And yet, all are aware that other uses have been sought, and found suitable for producing instead destruction and death. And what a death! Every day marks a melancholy step forward on this tragic road, a haste to arrive alone, first, with greater advantage. The human race almost loses hope of being able to stop this homicidal, this suicidal madness. To

increase the alarm and terror, there have been developed modern radio-guided missiles, capable of traversing enormous distances, to carry total destruction to men and things by means of atomic weapons.

In order, then, that nations may be checked in this race toward the abyss, we once again raise Our voice, asking for light and strength from the Risen Christ for those who control the destinies of nations.

May the present feast of Easter, then, be a message of faith and of peace to all men, for whose salvation in time and in eternity Christ made the complete sacrifice of His life. May this double message reach all souls, contributing strength and a renewal of hope. May these, like plants expanding beneath the warmth of the Sun of Justice, Jesus Christ, come to speedy maturity with substantial fruits of untrammeled justice and brotherly harmony.

With these intentions—which We offer to the Divine and Risen Lord as Our prayer and yours—on you here present, and on all Our sons and daughters united in spirit with you here, and particularly on those who are suffering misfortune and pain, We bestow Our Apostolic Benediction.



A Working Foreign Policy

In the last resort, the foreign policy of every nation must reflect its domestic ideals and principles. The faith which other nations will place in our country's devotion to peace and human freedom is, in great measure, dependent on how we manage our affairs at home, on whether we treat our citizenry without regard to race, color, national origin or economic status.—*George Meany, President, AFL-CIO, in an address at Seton Hall University, January 8, 1956.*



Facing Facts

There are some of us who think that, if the tendency [to easy divorce] continues unchecked, it may become necessary to consider whether the community as a whole would not be happier and more stable if it abolished divorce altogether and accepted the inevitable individual hardships that this would entail.—*Report of the Royal Commission on Marriage and Divorce presented to the British Parliament, March 20, 1956.*

Combating the World's Hunger*

POPE PIUS XII

THE eighth session of the Conference of FAO, in which you are participating, Gentlemen, takes on a very special meaning this year, since this organization is at the same time celebrating the tenth anniversary of its foundation. It was on October 16, 1945, that the representatives of 20 states were invited to sign the constitution of the Food and Agriculture Organization of the United Nations. By the end of the first session of the Conference, 42 countries had given their official adherence to the new constitution.

Since then the number of member states has grown constantly to the present 71. In bidding you welcome, it gives Us particular pleasure to congratulate you on the progress made during these ten years.

The aims that you set before you were, and still are, of paramount importance: to raise the levels of nutrition and standards of living of peoples, to improve efficiency of production and distribution of all food and agricultural products and to contribute towards an expanding world economy.

The Holy See could not hold aloof from so beneficial and necessary an undertaking. As far back as 1948 it had its observer at the regional meetings in Rome and the following year at a session of the council. In 1950 a decision of the Washington Conference admitted it as permanent observer, a status which it alone has up to the present.

Vatican Interest in FAO

You know, Gentlemen, with what interest We have followed the various phases of your activities since the day FAO was founded. It was at that time a matter of facing a terrible fact: over half the population of the world was underfed. To meet the needs of mankind food production had to be doubled. FAO set to work energetically. It formed the International Emergency Food Committee, undertook a world census of agriculture and proposed the establishment of a World Food Council. It took charge of the work begun in nine war-ravaged countries in order to restore their agriculture.

*Address delivered to the delegates attending the Eighth Session of the Conference of the UN Food and Agriculture Organization, November 10, 1955.

To confine Ourselves to a few of the main achievements, We recall that in 1947 the European Forestry Commission was set up. In 1948 the first regional conference on nutrition problems was held and since 1949 a joint committee of experts of nutrition has been meeting annually at various points of the globe. Since increasing the productivity and raising the standard of living of rural populations are bound up with the social conditions under which farmers work, FAO has since 1951 tackled the problems of reforming the agrarian structure and the related question of agricultural credit. At the same time numerous meetings in various continents are supporting the agricultural cooperative movement.

It certainly required boldness to envisage activities of so varied a nature and of such broad scope. But these efforts have not been in vain. Your report on the state of food and agriculture published in 1955 points out that in 1954 world agricultural production had increased by 25 percent over that of 1946. During these years the underdeveloped countries have rapidly developed their land and water resources. Thanks to technical assistance they have applied to animal and plant production the new methods worked out and perfected in more advanced regions. But besides these positive results it is also necessary to mention the present shortages and difficulties, in order to draw the attention of all responsible men and to guide their endeavors. You have pointed out, among other things, the rigidity of the production patterns and the difficulty of adequately meeting demands, the stagnation of world trade in agricultural products and the insufficient level of agricultural incomes in relation to other industries.

In vast areas of the world men have not yet been given the means to buy all the food they need. It need hardly be said that this fact is still your main incentive to continue your endeavors.

Soil Conservation and Improvement

Among the special studies to which your experts have devoted themselves, We should like to mention a few that are particularly suggestive, especially those that relate to the very basis of agriculture, the soil.

In the past the use, conservation and improvement of the soil were left to the practical good sense of farmers. Experience gained at the cost of prolonged labor and not without disappointments taught them how to work so as not to ruin the land from which they earned their living. We know that while some farmers spared no pains to protect

their land, others, moved by the lure of easy profits or the victims of their own incompetence, inflicted damage on the soil that could not be quickly remedied. To counteract the effects of such errors and to prevent their recurrence as well as to make fullest use of soil potentialities, it was essential to acquire a sound knowledge of the various soils, their structure and properties, and to map their geographical distribution.

Thus it became possible to specify what kind of crop was suitable to a particular area and what improvements were necessary, whether by drainage or the application of fertilizers. In particular, it was impossible to neglect the control of erosion, which is essentially caused by the natural elements but in many cases is facilitated and accelerated by the intervention of man, who, to make sloping land tillable, strips it of all protective vegetation. It was ascertained that in the United States the losses in phosphates due to erosion were greater than the depletion brought about by growing crops. The publications devoted to this question, such as, for example, the soil erosion survey of Latin America containing maps, will greatly help to prevent further damage.

But soil conservation does not depend on the control of erosion alone. At present it is considered best to consider the subject in a broader framework, taking into account modern methods for improving fertility and the social and economic factors likely to increase the well-being of rural populations, to help in the settlement of uncultivated lands, to check the exodus from the countryside and the depopulation of the mountain regions by migration to the cities.

The impoverishment of the land may be the result of a poor land ownership system, the concentration of land in the hands of a few, the excessive fragmentation of holdings or too low prices for agricultural products. Living conditions that are too harsh dishearten the farmer and drive him to seek his livelihood elsewhere. You have not overlooked this aspect of things since, as We pointed out just now, you have envisaged action in regard to agrarian reform, as well as in the field of credit and agricultural cooperatives.

Because of the essential role they play in regulating the flow of surface and underground water, serious attention should be paid to forests. They check the run-off of water, facilitate its seepage in depth and the feeding of springs. They retain the snow and, even though they cannot prevent exceptional floods, they regulate the flow of rivers. It is therefore to the interest of public authorities, who are anxious to develop agriculture, to keep a watch on the way in which forests are logged.

We also mention, among many other points, the research work on the possibility of utilizing seaweed for human food. So far, however, the utilization of these sources still seems to be difficult to achieve.

Problem Being Met

These brief considerations show fairly well that the initial program prepared by the Hot Springs Conference and formulated in the Constitution is well on the way to being carried out. Whereas formerly the problem of hunger seemed insoluble, it is now possible to face up to it and to rely on the collaboration of governments in solving it.

Your soil studies have drawn attention to the physical unity of the various regions, which makes the plain and the mountain interdependent. The man who wishes to safeguard the fertility of his land must concern himself with what is taking place far beyond its boundaries. This truth takes on symbolic meaning here, it seems to Us. For peoples favored by nature or the progress of civilization are in danger of being rudely awakened one day, if they do not take the trouble henceforth to secure for the less fortunate the means to live in accordance with human dignity and to develop on their own account. To awaken further among a great number of individuals and nations this feeling of collective responsibility, and above all to bring about thereby enlightened and generous interventions, is a lofty and noble task. In these times of suspicion, division, and revolt, the moral implications of such a result go far beyond its material consequences.

We take pleasure above all in recognizing in this world-wide activity, intended to affect not a privileged class, but the often powerless and defenseless multitude, an authentic aspect of the charity which Christ illustrated by His life and death and which He wished to make the distinctive sign of His disciples. This universal, unselfish charity, that even demands sacrifice, can only be rooted in the love that God Himself has for mankind. It is its visible manifestation and its strongest proof.

That is why We do not doubt that the Divine Master is blessing all that you are doing for those who belong to Him. It is to Him that these good deeds are being addressed. He will recompense them, as He has solemnly promised and as We ardently beseech Him to do. May Heaven bless you and your work, your families and those who are dear to you. As a pledge thereof We give you Our Apostolic Blessing.

To the Polish Hierarchy*

POPE PIUS XII

EVER since the dawn of its history the Polish nation has been second to none in the great veneration with which it surrounded its glorious Queen, famed for her many victories, crowned with stars, adorned with the sun, of whom was born to us the Sun of Justice.

In return, the Mother of God and our Mother, whose power equals her inexhaustible goodness, has often reciprocated this loving devotion on the part of her loving children by granting them assistance which was all the more visible the greater the danger that threatened them.

And while Poland's entire history affords irrefutable proof of this, it is evidenced above all by the events which took place three hundred years ago on Christmas Day and which were later commemorated for all time in many of the lasting treasures of religious and national life.

We have deemed it fitting, therefore, to stress once more in this letter to you, Our beloved son, and you, venerable Brethren, as well as to the entire Polish nation, the significance of that historical event, so that the memory of that special heavenly favor might bring you relief in the oppression which has undeservedly afflicted your fatherland, and give you hope in certain salvation, provided that your dignity and endurance are guarded by a strong Faith, inflexible in all trials and vicissitudes.

After the happy and prosperous reign of Ladislas IV there followed awful days, marred by failure and disaster of all sorts. The soil of Poland was invaded by alien people, and with special ruthlessness and ferocity by dissenters. And when Warsaw and Cracow had quickly fallen, only Czestochowa's Jasna Gora remained as the last bastion of freedom.

For there, the indomitable spirit of the prior, Father Augustine Kordecki, trusting only in God and the intercession of the Mother of God, confirmed the garrison in their resolute resistance. And soon, following an unexpected change for the better, your fatherland saved its liberty.

It was then that King John Casimir chose the Holy Mother to be the ruler of his lands and proclaimed her Queen of Poland.

Later, our unforgettable Predecessor, Pius XI, who at one time zeal-

*A letter addressed to His Eminence Stefan Cardinal Wyszynski, Primate of Poland and the other members of the Polish Hierarchy, December 8, 1955.

ously fulfilled the office of papal nuncio to your country, giving way to repeated pleas and out of his great love for your country, willingly and forever established the annual feast to honor the Blessed Virgin Mary, Queen of Poland, to be celebrated May 3.

These unforgettable events manifest in a peculiar way to the Polish people that the Holy Mother is their saviour from every danger, especially when the Catholic Faith, that most precious of treasures inherited from their forefathers, and their strong and close bonds with the Apostolic See—the glory and strength of your nation—are subjected to trial.

These intimate ties with Peter's See, the pillar of truth, have never been broken or loosened thanks to the vigilant care of your heavenly Lady and Patron, despite many a hostile ambush. This is the Polish nation's proudest boast and a stimulus to the strongest possible resistance against the godless forces which unfortunately try to weaken or poison your nation, which is so attached to the Catholic religion.

Let the Poles, therefore, traditional heirs of courage that they are, not weaken in spirit despite the storm that rages around them, but let them remain calm, constant and dignified, trusting in God Almighty Who knows no obstacle, Who chastises the mighty and the proud with but a single breath. "Believe in the Lord, your God, and you shall be secure" (2 Par., 20: 20).

For in matters both joyful and unpleasant for us, the ultimate decision always rests with the inscrutable sentence of Wisdom and Providence. Moreover, the more concealed God's mysterious hand, the more effective its action.

Faith and Hope

It is especially important that in the midst of trials and misfortunes faith and hope should remain strong, and that both public and private life be led in accordance with the teachings of the Gospel. "For the power of God works for salvation" (Rom. 1, 16), when, after one has rid oneself of covetousness of earthly goods, the principles of thought and conduct are not in conflict with faith but in constant harmony with it.

Above all one must seek peace with God, the Ruler of all time, when trials and human iniquity persecute with hatred soul and body, as St. Gregory the Great reminded the Christians of his time in the midst of misfortunes of all sorts.

What else is there to do, brethren, but to send a mission of peace to God

and plead for peace . . . To this let us add our tears, let us add our deeds of mercy, let us offer upon His altar sacrifices of propitiation, let us recognize ourselves as being incapable of measuring up to Him in judgment, let us meditate upon the greatness of His might, let us ask for that which serves peace . . . Let us send to God, as I have said, a mission of tears, alms and holy sacrifice (6 Hom. XXXVII, 7, Migne P. L. 76 c. 1278-1279).

Moreover, free of all fear, turn your eyes with renewed zeal towards the Mother of God, your Queen, who having crushed the hellish foe with her virgin foot, became the author and help of every spotless victory.

And the most merciful Mother will certainly not abandon her beloved Polish people who, in the words of your immortal bard, Adam Mickiewicz, "are Mary's defenders and live by her name." Provided that, in their strong adherence to the Catholic Faith, they show themselves worthy followers of constancy and heirs of the glory of their ancestors, then, through her heavenly intercession and after the storm has passed, the golden light of a happy era will dawn for your country.

Submits Cause to God

Already in Our previous letter, dealing with the religious persecution suffered by the Polish nation, We distinctly condemned the villainy of such an oppression. This sad situation, in spite of obvious lawlessness, not only has not changed at all, but seems to be deteriorating. Unfortunately, other nations also remain in this lamentable state, where Cardinals, Bishops and priests are thrown into prison or forbidden to perform their holy offices, where monks are expelled from their houses, where Catholic associations are broken up, where the publication of the Catholic press is hindered and Catholic schools are deprived of their rights, where, finally, the freedom of the Church is hindered in various ways. We embrace you all as Our dearest brothers and sons, who innocently suffer persecution for truth and justice, and in Our humble and unceasing prayers We submit your cause to God, the generous Giver of consolation and reward.

And as regards your nation, there is the additional increasing, cunning activity of the supporters of newsmongering, who try to reconcile alleged progress with the Christian religion, deprived, however, of its proper principles and truths. We grieve, therefore, and sadly complain that some people illegally interfere in matters which do not belong to them, and forgetful of the duty of obedience by which they are bound in conscience, "steal their way into the fold not through the door but by another manner" (cf. John 10: 1).

Like a father We warn them that, respecting the orders of the rightful authorities, they take time out for reflection about themselves, and do not harm the cause of religion and ecclesiastical discipline. It causes Us much pain indeed that they contaminate Christian doctrine by their speeches and publications, by their errors which they spread everywhere and almost impose by force. All must increase their efforts that light be not conquered by darkness, but that, having achieved a final victory over that darkness, it shine all the brighter.

Our beloved son! More than two years have passed already since you were illegally removed from your famous capital. We already have condemned this with all seriousness and stress, and now We again condemn it as a crime against which there was unanimous protest in many countries of the world where freedom is not merely an empty word.

Today, as the feast of Christmas nears, Our beloved son, together with other shepherds, who were by force removed from the dioceses and cathedrals which had been entrusted to you, where every year you performed the holy functions with vivid joy, We wish you a fulness of the Most Gracious and Divine Saviour's consolations, and we greatly desire that, in accordance with law and justice, you be returned to your previous lawful offices.

To you too, venerable brethren, to the clergy and to the faithful people which have been placed under your care, and to all your compatriots scattered over the whole world, We wish all the happiness and God's blessing, through the Virgin and God's Mother, the invincible patron of Poland, the vigilant guardian of Christian freedom, whose help to your fatherland, shown at that time, you honor magnificently in worthy celebrations.

And so that all this may happily and abundantly help you to attain eternal salvation, We impart to all of you, beloved in Our Lord, from the overflow of love of Our fatherly heart, as a token of heavenly assistance, Our Apostolic Blessing.



Fear in the Christian Community*

THE INDIAN HIERARCHY

AT OUR last meeting in Bangalore in February, 1955, we drew attention to the sense of fear and apprehension in which the Christian community and their pastors lived in certain parts of the country as a result of the hardships caused to them by the aggressive attitude of some militant sectarian organizations.

We quite understand that in the process of finding its feet, the new India might not at once be able to do everything it could for the minorities. We were quite prepared to make allowances for untoward incidents in the countryside where tolerance as a virtue makes slow progress. We expressed the hope that effective steps would be taken to ease the tension.

But we have been greatly disappointed. Difficulties have come not from individuals but from organized societies who have acted as if they had nothing to fear from the Government. They are not merely the result of change. They are the signs of a deliberate attempt to ignore the Constitution and to spread fear and terror among those who profess the Christian faith.

And it is no longer in one state only that these events are occurring. Since things have been allowed to go unnoticed and unpunished, since every appeal to the Central Government has so far proved fruitless, extremist elements in the country have been emboldened and appear to be convinced that law and order will not be enforced and that Christians can be attacked with impunity, and even with the help of the authorities.

The Prime Minister on May 31, 1955, reminded the Indian people "that Christianity was one of the oldest religions in India and that any agitation which might tend to be anti-Christian was completely against the country's secular policy and was to be deprecated." That this statement has not been heeded is proved by many incidents which have taken place since its utterance. Among others we should like to point to a few.

Attempts have been made in some places to stifle our schools out of existence by unfair methods, both as regards students and teachers. A

*Statement issued by the Standing Committee of the Bishops' Conference of India, November 5, 1955.

raid with the aid of the police was carried out by the District Inspector of Schools, Raigarh, and the registers of three schools were removed in June, 1955, and have not yet been returned.

A non-official bill introduced in the Lok Sabha on September 30 to regulate conversions and to provide for the registration and licensing of persons aiding any person to become a convert was the occasion for several speeches which showed marked hostility to Christian activities.

On October 5 an Indian Catholic priest and his congregation were vilely and disgracefully attacked at Vardhman Nagar, Pakri Barwan, in the Gaya District by the Arya Samajists during the celebration of Mass, the central act of Catholic worship. A mob of men armed with lathis and spears entered the Church, assaulted the members of the congregation and then proceeded to beat up the priest at the altar. They took away his keys and pillaged the church and his residence. What fills us with the utmost horror is the sacrilegious desecration of the Blessed Sacrament, the consecrated particles of which they scattered on the floor before taking away the sacred vessels.

We should also like to call attention to the very vexatious questions put to priests by Government servants in certain states. Priests are asked how many conversions have been made in certain specified years, how many of these were tribals and how many belonging to the scheduled castes; how many of the present population of a parish are born Christians; how many literates were converted since 1947. These questions are asked only about the Christian community as if it were an alien body, disloyal, and a betrayer of India's interests. And this is done after the assurance of the Ministry of Home Affairs that missionaries who are in the country will not be disturbed.

We feel that the Government should take immediate steps to check such outbursts of discrimination and violence in the interests of unity, peace and harmony among all communities. We are not asking for any special favors, but only for the recognition of the sacred and inalienable rights guaranteed by the Constitution to minorities and particularly specified in the declaration of Human Rights of the United Nations Charter to which our Government is a party.

Catholic Church Supranational

Through centuries Catholics have lived in amity and friendship with the adherents of other faiths. Our religious beliefs and practices have not been and need not be a source of annoyance or irritation to other com-

munities. The Vice President at Dehra Dun on October 24 said "that Indian culture stood for the peaceful co-existence of different faiths and values." We are afraid that on national and religious grounds, some aggressive organizations identify nationalism with the religion of the majority of the population and look upon Christianity as a denationalizing faith and an instrument of foreign influence.

We need hardly point out that the Catholic Church is a universal and supranational institution. The allegation that conversions are made by force, fraud or by offer of material inducement cannot be leveled against our missionaries. They derive no personal advantage by preaching the gospel of Christ. Their only object is to spread Christian teaching in regard to God, man's relations with his fellowmen and the future life.

In view of the distressing trend of events and the alarming proportions the situation has assumed, the Christian community is bewildered by what has happened during the last two and a half years.

THE CATHOLIC MIND

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